

Charles Peace.

Trial of Charles Frederick Peace

EDITED BY

W. Teignmouth Shore

Editor of the "Trial of Neill Cream," &c.

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Charles Frederick Peace

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TO
MY FELLOW MEMBERS OF O.S.

P R E F A C E.

SELDOM, if ever, can writer have received so much and such kindly help as I have in the preparation of this work. Without it, this volume would have been a task ; it has been made a pleasure.

Where so many have been generous to me, to give the names of all is impossible and it would be ungracious to record some only. Therefore, will all those who came to my assistance accept my sincere gratitude ?

That errors have not crept in I am not so foolish as to hope ; I ask pardon for such as there may be and will gladly welcome any corrections of, or additions to, the story told.

W. TEIGNMOUTH SHORE.

October, 1926.

CONTENTS.

PAGE

Charles Peace: Commentary and Biography, - - - - -	1
--	---

TRIAL OF JOHN AND WILLIAM HABRON.

FIRST DAY—MONDAY, 27TH NOVEMBER, 1876.

Opening Speech for the Prosecution, - - - - -	11
---	----

Evidence for the Prosecution.

B. Littler, - - - - - Abraham Wilcox, - - - - - Mrs. Eleanor Carter, - - - - - James Brownhill, - - - - - Sarah Beck Fox, - - - - - Elizabeth Whitelegg, - - - - - Nathaniel Williams, - - - - - John Massey Simpson, - - - - - James Beanland, - - - - - Abraham Ellison, - - - - - William Morrell, - - - - - William West, - - - - - William Ewen, - - - - - Moses Thompson, - - - - - John Dill, - - - - - James Bent, - - - - - Police-sergeant Thomson, - - - - - Thomas Whillan, - - - - - 	12 12 13 13 14 14 14 14 15, 24 16 16 16 16 17 17 17 20 20	Alfred Love, - - - - - John Gillanders, - - - - - Charles Hodson, - - - - - John Henderson, - - - - - Joseph Keighley, - - - - - James Fitzpatrick, - - - - - John Vickers, - - - - - John Walsh, - - - - - Henry Hayson, - - - - - Ann Cabers, - - - - - Mrs. Mary Brundrett, - - - - - Edward Blakeley, - - - - - Francis Deakin, - - - - - Donald M'Clelland, - - - - - John Henry Simpson, - - - - - William Griffiths, - - - - - John Leverett, - - - - - 	20 20 21 21 21 21 21 21 21 21 22 22 22 22 23 24 24 24
--	--	--	--

SECOND DAY—TUESDAY, 28TH NOVEMBER, 1876.

James Beanland (recalled), - - - - -	24
--------------------------------------	----

Evidence for the Defence.

William Kelsall, - - - - - John Cosgrove, - - - - - Miss Winifred Foy, - - - - - Catherine Conlon, - - - - - Speech for the Defence, - - - - - Closing Speech for the Prosecution, - - - - - Charge to the Jury, - - - - - The Verdict, - - - - - Commentary and Biography, - - - - - 	25 26 27 27 - - - - - - - - - - 	Mary O'Brien, - - - - - William Raines, - - - - - John Gresty, - - - - - - - - - - 	28 28 28 28 28 31 33 37 37
---	--	--	--

CONTENTS.

x

TRIAL OF CHARLES PEACE FOR SHOOTING
EDWARD ROBINSON.

19TH NOVEMBER, 1878.

PAGE

Edward Robinson, - - -	56, 59	John Body, - - -	59
Charles Brown, - - -	57	Sarah Selina Cooper, - - -	59
William Girling, - - -	58		
The Verdict, - - -			60

THE BANNER CROSS MURDER.

Magisterial Proceedings, - - -	64
--------------------------------	----

FIRST DAY—FRIDAY, 17TH JANUARY, 1879.

Mrs. Katherine Dyson, - - -	67	Thomas Wilson, - - -	81
Mrs. Mary Ann Gregory, - - -	71	Charles William Harrison, - - -	81
Mrs. Sarah Colgreaves, - - -	74	George Ward, - - -	82
Charles Brassington, - - -	77	Jacob Bradbury, - - -	82

SECOND DAY—FRIDAY, 24TH JANUARY, 1879.

Mrs. Dyson (recalled), - - -	-	-	86, 87
Jacob Bradbury (recalled), - - -	-	-	87
John Pearson, - - -	-	-	105
Commentary and Biography, - - -	-	-	108

THE TRIAL.

TUESDAY, 4TH FEBRUARY, 1879.

Opening Speech for the Crown, - - -	-	-	112
-------------------------------------	---	---	-----

Evidence for the Prosecution.

Charles Edward Johnson, - - -	119	James William Harrison, - - -	147
Mrs. Katherine Dyson, - - -	120, 148	Jacob Bradbury, - - -	148
Mrs. Mary Ann Gregory, - - -	143	Mrs. Rose Annie Sykes, - - -	149
Mrs. Sarah Colgreaves, - - -	144	James Sykes, - - -	149
Charles Brassington, - - -	144	Mrs. Jane Padmore, - - -	150
Charles Whyman, - - -	146	Edward Robinson, - - -	151
Thomas Wilson, - - -	146	Charles Brown, - - -	151
George Ward, - - -	147	James Woodward, - - -	151
Closing Speech for the Crown, - - -	-	-	152
Speech for the Defence, - - -	-	-	152
Charge to the Jury, - - -	-	-	161
The Verdict, - - -	-	-	164
Commentary and Biography, - - -	-	-	165

CONTENTS.

xi

APPENDICES.

	PAGE
A. Mrs. Dyson's Letters to Charles Peace, - - - - -	173
B. The Dyson Inquest, - - - - -	177
Mrs. Katherine Dyson, - - - - -	177, 189
Thomas Wilson, - - - - -	185
James William Harrison, - - - - -	186
Mrs. Mary Ann Gregory, - - - - -	186
Mrs. Sarah Colgreaves, - - - - -	188
Charles Brassington, - - - - -	188
Charles Whyman, - - - - -	188
George Ward, - - - - -	189
The Summing Up, - - - - -	189
The Verdict, - - - - -	191
C. Trial of Hannah Peace, - - - - -	192

LIST OF ILLUSTRATIONS.

Charles Peace, - - - - -	-	<i>Frontispiece</i>
Map illustrating Whalley Range Murder, - - - - -	-	<i>Facing page</i> 10
Sole of Boot worn by William Habron, - - - - -	-	18
Scene of the Whalley Range Murder, - - - - -	-	25
Tomb of Police Constable Cock, - - - - -	-	41
Charles Peace's Map of Whalley Range Murder locality, - - - - -	-	44
No. 5 East Terrace, Peckham, - - - - -	-	53
No. 2 St. John's Park, Blackheath, - - - - -	-	57
Handwriting of Charles Peace, - - - - -	-	63
Map illustrating Banner Cross Murder, - - - - -	-	112
Sketch of Charles Peace, by Frank Lockwood, - -	-	113

Note.—Kind permission to reproduce the photographs facing pages 53 and 57 was given by the Reverend N. Kynaston Gaskell.

Leading Dates.

1832.	14th May.	Charles Peace born.
1859.		Charles Peace married.
1875.		Charles Peace goes to live at Darnall and meets the Dysons.
1876.	1st-2nd August.	Murder of P.C. Cock at Whalley Range.
1876.	27th-28th November.	William Habron tried and convicted for murder of Cock.
1876.	29th November.	Albert Dyson murdered at Banner Cross.
1878.	10th October.	Peace arrested for burglary at Black- heath.
1878.	19th November.	Sentenced to Penal Servitude for life.
1879.	24th January.	Committed for Trial at Sheffield for murder of Dyson.
1879.	4th February.	Tried and found Guilty.
1879.	19th February.	Confesses to Whalley Range murder; Habron receives a Free Pardon.
1879.	25th February.	Execution of Peace.

CHARLES PEACE.

I.

CHARLES PEACE is one of the most astonishing figures in the story of British crime, and one of the most distinguished of English criminals. He presents an entrancing personality to students of criminology and of criminal psychology, and his Trials are far from uninteresting from the legal point of view. He was an accomplished burglar and general thief, and a pugnacious murderer. He possessed every gift that goes to make the complete criminal—he was liar, braggart, and actor; conceited; cunning; lecherous; malignant; without conscience, and, as every murderer is, remorseless.

As is only too often the case in regard to the lives of great men, there is sparse accurate information concerning his childhood and environment, the character of his relations and companions, and so forth. In a general way one can fairly judge what manner of boy Peace was from the deeds of his manhood; as we can do in, say, the instances of William Shakespeare and Mr. George Bernard Shaw. For the writing of his adult life the material is ample, but too frequently of bad or dubious quality. Around great names legends quickly gather, which are useful only when fairly contemporary, for then their general character is sure to be consonant with that of the man; the legend of Shakespeare's deer-stealing escapade would never have been invented concerning a poet who was incapable of poaching or who was notoriously no sportsman. In the following pages a stern attempt has been made to present facts only; but even the most conscientious editor is human, and I ask pardon humbly for my sins of omission and of commission.

The arrangement of the material that composes this volume differs considerably from that adopted in other Trials in this series, but seemingly was the only one which could enable a consecutive and clear narrative to be presented. Whether that result has been achieved is for the discerning reader to decide.

II.

According to a statement accredited to him by a too-intimate friend, Charles Peace "was born in Angel Court, Sheffield, of

Charles Peace.

respectable parents." The date was 14th May, 1832. He was the youngest of a family of four. His father, John Peace, a shoemaker, was previously an excellent tamer of wild beasts. Peace stated, as reported by one of his mistresses, "I have been, and my father before me, a tamer of wild animals, and I think I shall tame you, my lady." He continued, according to this informant, that his father was a caretaker of the animals in Wombwell's menagerie, which the father and son had accompanied up and down the country. His father died in 1845, when Charles was thirteen; whether his influence and example had been for good or for evil is not known. Of his mother nothing can be ascertained.

Judging by his correspondence, of which some specimens are produced in fitting places, Charles did not receive much in the way of education. He himself claimed to have gone to a good school, but, of course, his and our definition of "good" might differ. That he could read and to some extent write is all that can be definitely said. The defects in his education were certainly not due to lack of ability, and, judging by his subsequent career and achievements, he had artistic and musical leanings, and would have achieved fortune as an actor. As a specimen of his literary ability this may suffice, for the present; this obituary notice of his father—

In peace he lived,
In peace he died,
Life was our desire,
But God denied.

He had a distinctly mechanical turn of mind, which served him to bad purpose in the contriving of the implements necessary in his profession of burglar. It is stated, on what authority I know not, that in his youth he worked as a tinsmith, and he was employed for some time in the Millsands Rolling Mill, near Sheffield; there in 1846 his leg was injured in an accident, which rendered him permanently lame. Another account gives it that he lost a finger, and received other damage to his left hand in this mishap. Yet another statement is that this maiming of his hand was the result of his being shot by another young blackguard. Such are the difficulties which have to be faced and overcome, when possible, by the conscientious biographer. Of the accident at the mill, it is recorded that he said in later days—"I never cared to work after that." However that may be, he certainly did not pursue an honestly laborious life. When incarcerated at Dartmoor, for his country's

Charles Peace.

good, he suggested some improvements in the machinery then in use, which were adopted there and in other convict establishments.

III.

The “History of Peace,” by Mrs. Thompson, one of the famous man’s many mistresses, has already been quoted. How far it is an exactly trustworthy account it is impossible to determine, but its statements, where they can be checked, appear to be reasonably reliable. According to Mrs. Thompson, after the death of his father, Peace “started on his own account. Even then, he admitted to me, his tastes were depraved and disgusting. But there, I cannot tell you of it; it is too bad. There is one thing I will say which will give you an idea of his character at that age. There was a fête at Sheffield, and for purposes of plunder he attended it and concealed himself in the ladies’ lavatory. There he had to remain the whole day, for, the place being constantly occupied, he was unable to escape without being discovered. He used to gloat over this when telling it to me.” On this occasion he relieved an old gentleman of his gold watch, which may have been his first considerable criminal transaction. It is impossible to track Peace’s whole career in detail; fortunately, it is unnecessary so to do. This fact is noteworthy—from the outset he always worked alone, to which may be attributed his prolonged success. The many thefts and burglaries he committed will never all be ascertained; if we could believe that all which are credited to him were actually his handiwork, they must have been innumerable. But all that it is desirable to do here is to present such a picture of the man and his achievements as will enable us to visualise and understand the central figure in the Trials presented. He was not alone the mere picker of pockets, in which practice he indulged at Sheffield Fair and on other such convenient occasions; he was also a portico-thief, utilising as a means of entrance the porticos over the hall doors of the houses which he desired to despoil. To his unlawful pursuits he added those of carver, gilder, and frame maker; he was a hawker of small wares; and a musician, singer, and entertainer! Inconsiderably known to fame as “The Modern Paganini,” and “The Great Ethiopian Musician.” Among his favourite melodies was “The Campbells are Coming,” and he is said to have composed a song he often sang, “My Own Sweet Will.” He performed chiefly at public-house “sing-songs,” fairs, and kindred

Charles Peace.

entertainments, and occasionally offered his services as a reciter at private schools. Of one such occasion Sir Archibald Bodkin has kindly given me a brief account—"It is a curious fact that in about 1873 or so, while I was a boy at school in Highgate, this rascal came, and, with permission of the headmaster, gave a recitation in the Big School to us boys, and chose the grave-digger's scene from 'Hamlet.'* We had, in consequence, nearly a half-holiday, and much enjoyed it." Peace performed upon a one-stringed fiddle of his own manufacture, and in his years of triumph gathered together a considerable collection of violins, some of which were of considerable value and none of which cost him more than the effort of appropriating them.

Peace's first term of imprisonment, a month, seems to have been that allotted to him in the autumn of the year 1851, when he burgled a house at Sheffield. After serving this foretaste of what was to come to him, he seems to have gone thoroughly to the bad, to have become the associate and pupil of criminals, and to have been "known to the police." Exactly what were his enterprises and what success attended them is not recorded, but in 1854 he landed himself in very considerable trouble at Sheffield. The papers of 21st October report that one Charles Peace, aged twenty-two, a joiner; Emma James, nineteen, spinster, servant; and Mary Ann Neild (or Neil), married, fell-dresser, were indicted for stealing a quantity of rings, brooches, and other jewellery from the house of Mr. Richard Stuart at Brincliffe Edge. Apparently Peace was in a poor way at the time, as he and his comrades in misfortune were undefended. The house had been burgled on the night of 30th August, and Peace and company had later on pawned portions of the abstracted property, others being found in their possession. Peace's defence of himself was an unconvincing rigmarole, and his lady friends declined to say anything. Evidence was given that Peace had been previously convicted of felony, and there were two other indictments against the prisoners for burglary. Peace was sentenced to four years penal servitude.

The following extract from the *Manchester Evening Mail*, 25th February, 1879, is not without interest:—

"Peace . . . was no stranger to the Wakefield House of Correction, where he has been in durance vile on three or four occasions, one of his visits being memorable for a daring per-

* A favourite scene with him.

Charles Peace.

formance. A man named Joss Roberts, who lives in Garden Street, Wakefield, and was for many years an officer at the Wakefield Prison, informed a correspondent that in 1854 Peace was ordered to be imprisoned for four years, and he was sent to Wakefield. . . . One afternoon whilst he was in charge of Roberts he succeeded in making his escape out of the room, the door of which had accidentally been left unfastened. . . . he managed to climb upon the roof of a house in the prison yard, which was occupied by the late Dr. Milner. . . . Peace removed some of the slates on the roof . . . descended into one of the bedrooms . . . an alarm was raised . . . the daring fellow was found secreted on the top of a wardrobe . . . placed in solitary confinement, when he became violent and made a most determined attempt to destroy himself. He inflicted a very severe gash in his throat, the scar of which is still visible.”

IV.

So we proceed to October, in the year 1858, when Peace was again free to pursue his varied avocations. On a date, possibly in 1859, and at a place unascertained,* Peace was joined in holy matrimony to Mrs. Hannah Ward, widow, with one son, Willie. This unlucky woman is said to have been unaware of the character of the man who for the future was to cherish her. During Peace's next imprisonment a son was born to him, whom he never saw owing to a fortunately early decease. But the said John Charles was immortalised by his father in these verses—

Farewell, my dear son, by us all beloved,
Thou art gone to dwell in the mansions above,
In the bosom of Jesus who sits on the throne,
Thou art anxiously waiting to welcome us home.

It may here be mentioned that Peace confessed to the following faith:—"I believe in God, and I believe in the Devil, but I don't fear either."

Later a daughter, Jane Ann, was presented to him.

In the future Peace would on occasion resign his own name and work under that of John Ward, as we shall see.

After various enterprises, of which reliable details are not available, Peace again landed himself in bad trouble in 1859. He was

* See Appendix C, p. 192.

Charles Peace.

lodging in Manchester, a city with which his fame is as closely allied as with Sheffield, with a man named Newton. Together, during the night of 11th August, they removed a large number of articles from the house of Mrs. Elizabeth Brooks, South Villa, Victoria Park, Rusholme. Part of the booty they concealed in a hole in a field near Brighton Grove; here the police discovered it, but left it as a bait, while careful watch was kept. Peace and his colleague returned, and after a desperate fight were arrested. At the police station Peace facetiously described himself as George Parker, giving his residence as Nottingham and his occupation as "a professor of music"! His mother, "an aged woman" (did she give her name as Parker?), was called to prove that her son had been at home all the week during which the burglary had been committed, but the upshot was six years' penal servitude for Peace and eighteen months for his comrade.

Liberated in 1864, he returned for some while to his native city, but apparently found Manchester a happier hunting ground, until, in 1866, aged thirty-four, he once more placed himself within reach of the law. He was caught red-handed burgling a house in Victoria Park, Lower Broughton, and on 3rd December was tried at the Manchester Assizes, under the *alias* George Parker, *alias* Alexander Mann. The report in the *Manchester Guardian* contains this—

"The prosecutor, Mr. W. R. Gemmell, lives in Victoria Park, Manchester. On the 29th of August he was disturbed about four o'clock a.m. by a noise, and on his servants going downstairs they found that the house had been entered through the kitchen window, that the dining-room had been broken open, and that a large number of things and some money had been stolen. The prisoner was apprehended a few minutes afterwards. He had in his possession property which was identified by the prosecutor, and a centre-bit, two gimblets, a punch, and other articles. In defence, Mr. Torr merely raised the point that there was no proof that the house had been burglariously broken into. The jury found the prisoner guilty, and he pleaded guilty to a previous conviction in August, 1859, when he was sentenced to six years penal servitude."

As was his wont, when affairs were going against him, Peace snivelled and whimpered, in hopes of softening the hard heart of the judge; pleaded for mercy for his children's sake and so forth; but the Court was unmoved. After referring to his previous conviction,

Charles Peace.

his lordship said—If he had really been penitent, it was not likely that he would have committed the present offence, and that, too, in a manner which showed he was prepared to go all lengths in housebreaking. Not only, however, did he commit this burglary, but on the very same night he broke into another house, from which he stole some plate; but that charge would not be gone into. The sentence was penal servitude for seven years.

In August, 1872, Peace was released from Chatham Gaol on ticket-of-leave.

V.

So far Peace has been but a commonplace and not too successful performer, an apprentice. We now enter upon the period in which he made his name as an exceptional exponent of the fine art of burglary and as a ruthless murderer, showing himself a master.

He reappears in Sheffield, where, supported by his wife, stepson, and daughter, he plied the trade of picture framer and gilder, reporting himself to the police on the first Wednesday in each month for the duration of his “ticket,” the police having “nothing against him.” But, probably, their information was not complete.

To trace Peace’s doings up to the year 1875 would necessitate indulging in the dangerous pleasure of conjecture and the narration of many very dubious accounts of his proceedings.

In 1875 he removed to Darnall, a suburb of Sheffield, where he made the acquaintance of the man for whose murder he eventually paid penalty. At this place his wife was a bottle-washer to a firm of wine and spirit merchants, and his stepson was employed in a grocer’s establishment.

This is a suitable place to take stock, so to speak, of the personality of the man, his appearance, his habit, and so forth. He was now forty-three years of age, but appeared much older. In the following year he is thus described by the police—“He is thin and slightly built, from fifty-five to sixty years of age,* five feet four inches or five high, grey (nearly white) hair, beard, and whiskers. . . . He lacks one or more fingers off the left hand, walks with his legs rather wide apart, speaks somewhat peculiarly as though his tongue was too large for his mouth, and is a great boaster.

* A bad shot.

Charles Peace.

He is a picture frame maker. He occasionally cleans and repairs clocks and watches, and sometimes deals in oleographs, engravings, and pictures." To which description was later added this—" *Alias* George Parker, Alexander Mann, 'Paganini.'

Age, forty-six. He looks ten years older." Almost a monkey of a man, with extraordinary power of pulling about and altering his features, so as to make his face unrecognisable even by his relations and intimates. Cunning and cruel, absolutely selfish. In short, an unrestrained savage.

It was on account of the dangerously obvious injury to his hand that Peace adopted his famous false lower arm, a sort of sheath of cloth and wood, which he held in his hand, and to which a stout iron hook was attached—something of the same sort of appliance as that used by Captain Cuttle. Not that he attached any great importance to the appearance of his hands, for he said—" A policeman always goes by the face. He never thinks of looking at people's hands." True then; scarcely so now.

Slight as was his frame, his strength was enormous. As an example of his pluck and brawn, the following is amusing. My informant briefly describes Peace as " A big, little man, almost 5 feet 3 or 4; small to look at. . . . He met two men one day who said to him, ' Charley as ta got any brass wi' thi? We are about as dry as a lime basket. Gi' us a pint.' Peace was not complaisant, so they made a grab at him. Upshot, the two lusty men spent some time in hospital, Peace's farewell to them being—' You will mind what you buckle on another time.' " The same correspondent provides these two tales—One day he had been going his round, as a hawker, and visited some farms, it being " just his delight to sell some of his fancy ware to the lassies, besides putting a few fowls in the bottom of his basket." On his homeward way he met a farmer, a big, burly, strong chap, to whom he offered a watch, which had on its face a picture of a man ploughing with two horses—" it wanted winding up every time you had a look at it." The farmer's fancy was tickled, and he acquired the seeming treasure in exchange for his own watch and the sum of two pounds. When they met again a few weeks later " there was a small pantomime, but Charley Peace won. There was not many that could beat him in a rough and tumble." Another day he had been to Mosborough, and on his return journey in a lonely lane he encountered a brawny navvy, who said—" Cud you help a bloke 'at's hard up?" " Hard up!" replied Peace. " Ah, hard up! I am allus hard up and

Charles Peace.

nobody gives me out, and tha'll have to have the same." The man got hold of Peace, but found himself sprawling in the pond near by, and would have been drowned but for the timely assistance from some passers-by.

Many such stories are still current along the Yorkshire and Lancashire countryside; whether they all are true or not, they do serve to indicate the character and casual doings of Charles Peace, who tickled the public imagination as no other criminal has done, with the possible exceptions of Jack Sheppard and Dick Turpin, both greatly overrated heroes. This appeal to the public fancy was strengthened by such incidents as this—"On one occasion Peace called at my grandmother's house," writes a Sheffield correspondent to me, "and asked if he might leave two pictures while he went for a drink. Having had too much, he forgot about them. Several months later my grandmother saw him passing by, called him in, and asked him if he had forgotten the pictures. Because of her honesty he had a very large picture framed and gave it to her." As a rule, however, he was most abstemious, especially when professionally engaged, and was seldom known to be drunk. Two glasses of beer were his usual ration.

Further light upon this really amazing fellow is provided by Sir William Edwin Clegg; I quote from one of his very helpful letters—Peace was (in 1879) "a small, spare man, clean shaven, and with a very prominent chin, which he could so distort as to make himself almost unrecognisable. Whilst he was in custody here" (Sheffield) "he informed me that on many occasions he went to Scotland Yard for the purpose of reading the notice offering a reward for his own apprehension, but that by manipulating his jaw he could escape detection. He had no very great belief in the efficiency of the police, and, on many occasions, he daringly put himself in their way. He was an expert in the use of a revolver. . . . He was not an educated man, but very shrewd and very cunning."

Now from the man to his deeds.

VI.

In 1875, as already stated, Peace and his family took up their residence in Darnall, at 40 Victoria Place, Britannia Road, next door but one to Mr. and Mrs. Dyson, of whom much more anon, who lived in No. 36, between being an unoccupied house. Peace

Charles Peace.

carried on business as picture framer, carver, and gilder, but chiefly devoted himself to his profession, in the pursuit of which he was assisted by his tramping the countryside as a pedlar, thus getting into touch and conversation with servants and others, who unwittingly supplied him with valuable information. Peace was outwardly a devout Christian, sometimes attending chapel, sometimes church, and it has been stated even assisting as a teacher in Sunday school; certainly his daughter Jane Ann did so.

While serving a sentence in Wakefield Gaol Peace had made the acquaintance of the chaplain, the Reverend John Henry Littlewood, who, when vicar of Darnall, was astonished one day to find himself face to face with his old convict friend, now seemingly a respectable and well-respected parishioner. Peace visited the vicar, and, for "the sake of his family" and on the understanding that he would stray no more, induced him to say nothing about his past. Of Peace's wheedlesome ways Mr. Littlewood said—"He is a most interesting man to talk to, and, although not educated, he has so much cunning and tact about him that he can draw out what information he requires and then make use of it."

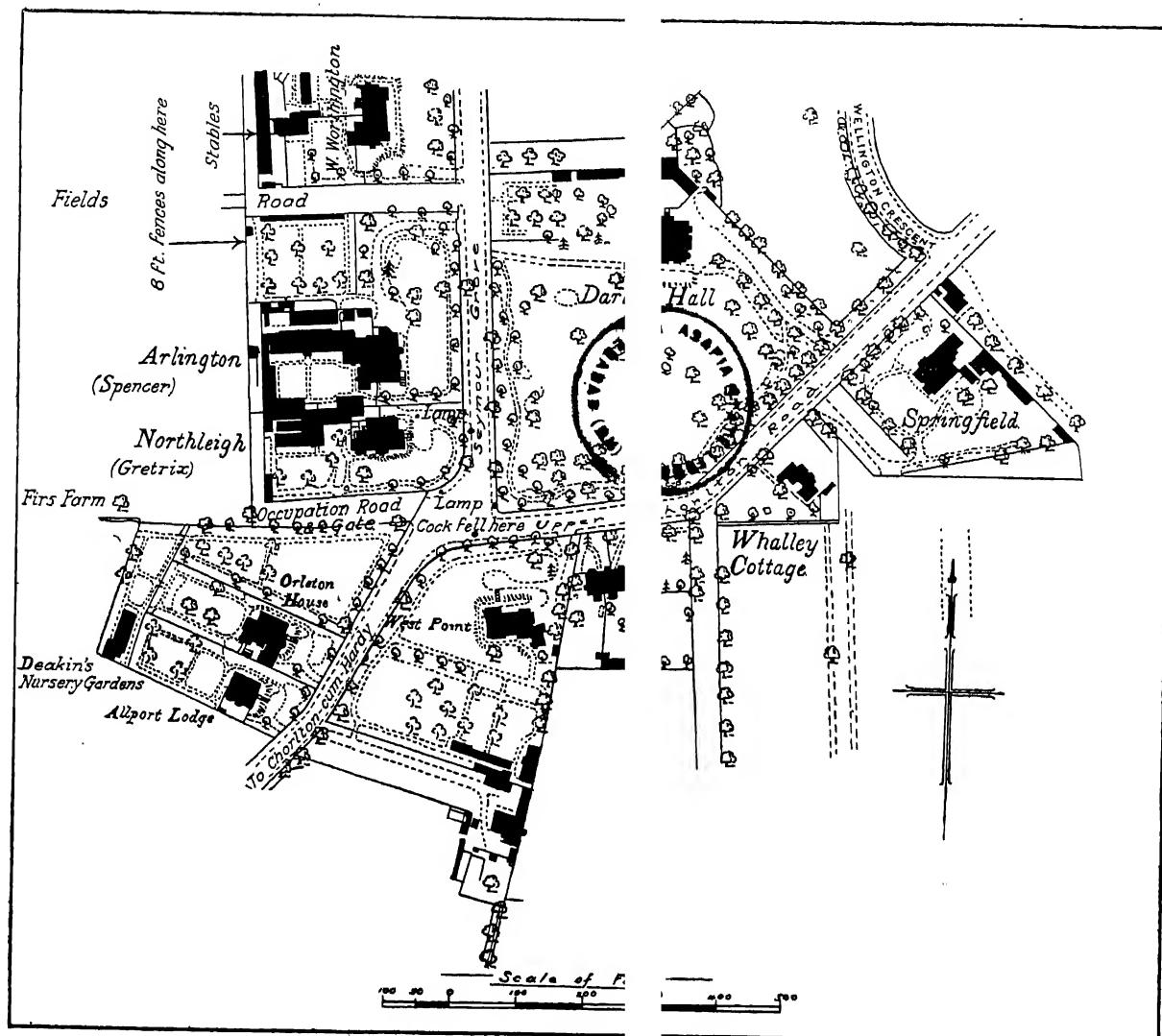
This not being a biography of Charles Peace, but an account of him only sufficiently detailed to enable the Trials to be followed with understanding and the character of the man to be examined, we shall not deal in full with Peace's doings at Darnall, but confine ourselves to two main incidents—one, a visit he paid to Manchester in 1876, and, two, his dealings with the Dysons. It will be conducive to clear narration if we take the Manchester episode first, Peace at the time being resident at Hull; why so will be explained later.

VII.

During the night of 1st-2nd August, 1876, Police Constable Nicholas Cock was shot at Whalley Range, outside Manchester.

At the Manchester Winter Assizes John and William Habron were tried and convicted for the murder. Peace attended the trial, which, as he cynically said afterwards, "greatly interested me. I always had a liking to be present at trials, as the public no doubt know by this time."

It will be convenient to give the Trial first, then to comment upon it and upon the evidence produced, which is interesting to students of such matters.



TRIAL OF JOHN AND WILLIAM HABRON.

First Day—Monday, 27th November, 1876.

The learned judge, Mr. Justice Lindley, took his seat upon the bench at 10.30.

JOHN HABRON (23) and WILLIAM HABRON (18 $\frac{5}{12}$) were charged with feloniously, wilfully, and of their malice aforethought killing and murdering one Nicholas Cock (P.C. 1015) at Whalley Range, in the parish of Stretford, on the night of 1st August, 1876. Mr. W. H. Higgin,* Q.C., and Mr. John Addison, Q.C., prosecuted; Mr. J. H. P. Leresche defended the prisoners.

Opening Speech for the Prosecution.

Mr. HIGGIN said the deceased policeman had been in the county police force for a period of eight months. He was stationed at one of the suburbs of Manchester called Chorlton-cum-Hardy, which adjoined one of the most respectable suburbs of Manchester, Whalley Range. The learned counsel then described the exact locality of the murder, which occurred in a triangular piece of ground, from which three roads diverged, the Chorlton-cum-Hardy Road, the Upper Chorlton Road, and Seymour Grove.† There was also a small occupation road which went to a farm called Firs Farm, and which diverged from the triangular spot above mentioned, where the deceased met his death. The two prisoners, with a third brother, Frank, who had been discharged by the magistrate on this charge, were employed by Mr. Francis Deakin, nurseryman, Chorlton-cum-Hardy. These men slept in an out-house in Mr. Deakin's premises. The learned counsel dwelt at some length on the plan, showing that Mr. Deakin's premises could be reached by the Chorlton-cum-Hardy Road, which was the public road, as also by the private occupation road to Firs Farm, by which it was alleged the murderers escaped. The deceased constable was distinguished for the zeal with which he endeavoured to

* Chairman of the Salford Hundred Sessions.

† See Map.

Charles Peace.

Mr Higgin

do his duty, and so had incurred the hostility of the three brothers Habron. In the month of July he had summoned the brothers for being drunk and disorderly. William was brought before the magistrates on the 27th July, and fined 5s. and costs. The case against John was adjourned to the 1st of August, and he should call evidence to show that between those dates the prisoners used threats against the deceased, stating that they would be revenged if the policeman carried out his intentions. The deceased attended at the Court, and by his evidence procured a conviction against the prisoner, William Habron, on the 27th; and then on the 1st of August the adjourned case was heard and dismissed. On that very night the officer was shot, and died in half an hour. There could be no doubt that a brutal murder had been committed. The learned counsel then outlined the evidence, which showed how the deceased and a Mr. Simpson had been walking along Chorlton-cum-Hardy Road when the deceased was joined by another officer, named Beanland. Mr. Simpson, having seen the deceased up to that point, left them, and shortly afterwards heard two shots. On returning to the spot he found Constable Cock on the ground bleeding. He was taken to the surgery of Dr. Dill, and died half an hour later. Mr. Simpson had seen a man loitering near the place, who in general appearance was like the prisoner William. The next day some footprints were examined, and found to tally remarkably with the boots worn by William. William was also proved to have been in a shop pricing some cartridges. Immediately after the death of the constable a posse of constables went to the outhouse where the prisoners slept. At first they saw a light, which was shortly put out. When the officers got into the house one of the Habrons, John, before anything was said to him, exclaimed, "I was in bed at the time," so showing he knew the errand which had brought the police. After further detailing the circumstances, the learned counsel concluded by saying that he thought the evidence would warrant a conviction.

Evidence for the Prosecution.

B. LITTLER, architect, proved and described the plans of the locality.

ABRAHAM WILCOX, Eccles Road, Chorlton-cum-Hardy—I am a watchmaker. I remember cleaning a watch belonging to the prisoner John. I took it back to him at Deakin's nursery, and he told me about some words between him and the "little bobby" outside Lloyd's Hotel some time before Whitsuntide. He said the "little bobby" (meaning the deceased) had threatened to summon him. He said, holding up his finger, "If he does anything to me, or either of my brothers, by God I'll shoot him." Frank was then present. The prisoner spoke very earnestly. I

Trial of the Habrons.

Abraham Wilcox

spoke afterwards to the deceased about it, and also told his mother. I was acting then as an assistant postman.

Cross-examined by Mr. LERESCHE—After I heard of the murder this conversation immediately recurred to my mind.

By Mr. JUSTICE LINDLEY—John was sober when he said that.

ELEANOR CARTER, wife of John Carter, whose husband kept the Royal Oak—I know the two prisoners, who have been regular customers. John and William came to my house about the middle of July. John said the “little bobby” was going to summon him, but he had no right to interfere with them, as they were close to their own home and not interfering with anybody; and “if he does summons us, by God we’ll make it hot for him, we’ll shunt the bugger.” I said, “Tha’ll what, Jack?” He said, “We’ll get our gaffer to shift him. He is not the first he has shifted, and he will shift him.” I gave evidence before the coroner. I remember when John went to the Police Court on the 31st July. John and William came to the Royal Oak. John was in his best clothes, and said he was going to get the case adjourned. They had some beer. John gave a toast and wished himself safe back. William said, “Damn and bugger the bobby, and, if he gets the day, by God, we’ll finish him, and we will see an end to that bugger.” I remember the constable being shot, and this conversation was within two days of the murder. I have heard on various occasions similar threats used, that “If the deceased was too officious they would do for him.” They were sober when they made those threats. John seemed very bitter when he used these threats. John was at the Royal Oak on Tuesday night at about nine, between eight and nine; I can’t say as to William.

Cross-examined by Mr. LERESCHE—William was there, but I did not serve him. He bought tobacco. Other people heard the threats; they were made openly.

JAMES BROWNHILL, wheelwright, Chorlton-cum-Hardy—I know John Habron; I saw him the day he went to the Court. He came past my shop and asked for some water, and then went to Mr. Deakin’s field. I asked why he was dressed up. He said he had been to the Court, and that his brother, William, had been summoned for drunkenness. I asked him how much it had cost him, and he said 10s. 6d. I also asked which policeman summoned him, and he said “the little one.” He, John, had to appear the week after; there had been a mistake. “But if it cost him anything he would shoot the bugger.” The little policeman meant Cock. I did not think at the time he meant anything. He was sober and not in a temper.

Cross-examined by Mr. LERESCHE—The deceased was an officer who was rather too forward, and I said so to the prisoner at this conversation. It was the impression in the neighbourhood.

Charles Peace.

Sarah Beck Fox

SARAH BECK FOX, Chorlton—On the 27th July I saw John Habron and his brother, Frank, and Elizabeth Whitelegg. I heard her ask John how he had got on. He said, “I have not got on at all; my case did not come on: it will come on on Tuesday, and if he does me I will do him before next Wednesday.” Frank then had gone to the Royal Oak, and did not hear what was said. I was at my palings, three or four yards from him. It was not said secretly.

ELIZABETH WHITELEGG, laundress, Chorlton-cum-Hardy, describing the same incident as the last witness—I saw John on 1st August coming from the Royal Oak at 2.30, and he asked how my young man was—I had kept company with Cock. I said he was all right.

Cross-examined by Mr. LERESCHE—This was about two in the afternoon.

NATHANIEL WILLIAMS, Chorlton-cum-Hardy—On Tuesday, 1st August, I was going home, and past West Point at five or ten minutes to twelve at night. I was on the left-hand side going from Manchester. I saw a man standing near the gateway leading to Firs Farm. I cannot say who it was. There is a lamp at the opposite corner, and another up Seymour Grove, and another past West Point. After passing West Point I met Cock with a gentleman, walking. I saw them 40 yards from West Point, and the constable was going in the direction of West Point.

Cross-examined by Mr. LERESCHE—The man I saw was standing still. I have not been called previously.

JOHN MASSEY SIMPSON, law student, Whalley Bank, Upper Chorlton Road—On Tuesday night, 1st August, at ten minutes to twelve, I was walking towards Upper Chorlton Road. After I passed Mr. Deakin’s grounds I fell in with Police Constable Cock, and walked with him to the jutting-stone at West Point. There are a good many trees overhanging the footpath. Beanland joined us at the stone, and we stopped and talked for five minutes. While we were talking I saw a man walking out of the darkness from under the lamp and crossing the road. He partly crossed Seymour Grove, and turned up in that direction. He seemed to falter and hesitate which way to go, and turned suddenly up Seymour Grove on the left-hand side, when I lost sight of him. As he passed under the lamp I had a good view of him. I was at that time 10 to 12 yards from him. He had a brown coat and a pot hat—a round hat. He stooped a little. I could not see his face—it was very dark. I left the constable a minute or two after this, and went up Upper Chorlton Road, in the direction of Manchester. About a hundred yards from West Point there is a bend in the road, and some

Trial of the Habrons.

John Massey Simpson

stumps near Mr. R. Spence's gate. When I got to this spot I heard two shots. The first was two or three minutes after leaving the constables, and the second shot immediately after the other. It was the report of a pistol—two sharp reports. I ran back, and saw two carts—the horses were galloping—pulling up. Beanland was in the middle of the road, whistling. Cock was lying on the footpath, a few yards from where I left him. I helped to lift Cock up; he was bleeding from the breast. Another constable came up, and they put Cock into one of the carts and took him to Dr. Dill's surgery. I went on in front. The deceased lived half an hour, and died at the surgery. On the Thursday following I went to the Old Trafford Police Station, and saw a man sitting in a chair, dressed in a brown coat, but without a hat. I stayed a few minutes in the inspector's office, and then passed into another room. The man came into the room into which I had gone; and he had slight stoop. I did not recognise his face. The coat in colour and shape appeared to be the same as the one I saw worn by the man on the night of the murder. The man in the police office was William Habron, and was of the same height and build as the man I saw the night before. I did not particularly notice his walk. I thought the man I saw under the lamp was an elderly man from his stoop and general appearance.

Cross-examined by Mr. LERESCHE—The road is overshadowed by trees, and there are very dark patches. The hat and coat were of an ordinary kind.

JAMES BEANLAND, Police Constable stationed at Old Trafford—On the night of 1st August I was on duty near West Point. I met Cock there at twelve o'clock. Mr. Simpson was with him when I came up to them. I came from the direction of Chorlton. I stayed talking for five or six minutes. Mr. Simpson was the first to leave; he went towards Manchester. I then noticed a man coming down Upper Chorlton Road; he crossed Seymour Grove. When this man got to the lamp he turned and looked at Cock and myself. He was 3 or 4 yards away from the parapet and lamp. He walked quickly. He made a stop and turned his face to them. I said to Cock, "Who is that man?" I noticed that the man was young and fresh complexioned. I could see very well from the light of the gas. He was about 5 feet 7 or 8 inches in height, and dressed in dark clothes. I can't say who it was. I think now it was William. I watched him up Seymour Grove, and bent down to see if he went any further than Mr. Gratrix's gate; I did not see him pass it. I told Cock I would go and see who the man was. I then went to Mr. Gratrix's gate, which I found open, and I went and tried the front doors and found them fastened. The windows seemed all right. I turned to go back to West Point, and saw a flash and heard shots. It was only half a minute after I left Cock. I saw two flashes at the interval of a second.

Charles Peace.

James Beanland

They came from the direction of West Point corner, on the outside of Mr. Gratrix's wall. I heard a shout, "Oh, murder, murder! I'm shot; I'm shot." I ran with all my might to West Point, and found a great confusion, men trying to stop the horses in the carts. The carts had passed Cock in the interval. I had heard the carts before. I found Cock with his head against the wall, and his feet on a small flag. He was bruised on the temple and the cheek bone. I raised him and said, "Oh, Cock, whatever is the matter?" Then I whistled, and heard a man say, "There is another policeman." Then Mr. Simpson, the two carts, and a gentleman named West, and Constable Ewen came up.

Cross-examined by Mr. LERESCHE—I was on Mr. Gratrix's doorstep when I saw the flashes. I could not swear that the prisoner is the man I saw. I saw no one when Simpson was talking to us.

ABRAHAM ELLISON, carter in the employment of the Stretford Local Board—At twelve o'clock on the night of the 1st August I was passing along the Chorlton Road with a horse and cart. Morrell had another cart; he was with me. In passing I saw Police Constable Cock at West Point standing by himself looking up Seymour Grove. A little after I heard a shot behind me. My horse became restive and started off. I heard no other shot. When I stopped I saw Cock running from Seymour Grove toward the stone. He screamed "murder" two or three times and "I'm shot." He was put in my cart and taken to Dr. Dill's house.

WILLIAM MORRELL, carter—I was with Ellison. I passed Cock standing by West Point by himself. I heard shots. I pulled up my horses. I turned round, and saw Cock running, then he fell down.

WILLIAM WEST, Chorlton-cum-Hardy—I was going home that night. When near Darley Hall I heard two shots from towards West Point. Then I hurried along, and saw Mr. Simpson running. No one passed me, and when I got to the place I saw Cock on the ground. After seeing him put into the cart I went home.

WILLIAM EWEN, police constable, Old Trafford—I was in Seymour Grove when I heard a report. I was 600 yards away at the time; I ran towards the place; and no one came that way.

Cross-examined by Mr. LERESCHE—Did you ask Cock if he knew who shot him, and did he say, "I don't know?"—Yes.

Mr. Higgin asked further questions as to the remarks made by the deceased, to which Mr. Leresche objected, but the judge said it might as well all come out.

The witness then stated that the deceased said when witness

Trial of the Habrons.

William Ewen

got on the cart, "Who is that, Beanland?" He replied, "Ewen." Witness then asked who had shot him, and he said, "They have done for me this time." He also said, "I do not know; they have done me."

MOSSES THOMPSON, police sergeant—I was on duty at Chorlton Road at the time. I heard a whistle and went to the place. I met the cart in which Cock was placed. I went and knocked Dr. Dill up. I asked Cock if he knew who shot him, once in the cart and three times at Dr. Dill's; he did not say anything. He died about ten minutes after he got there.

Mr. LERESCHE said he had no reason to object to anything the deceased said, and he should raise no objections.

The witness then said he again asked the deceased, in Dill's surgery, who shot him, and he said nothing to these questions, but on the fourth time he said, "Leave me a be; oh, Frank, you are killing me." There was no one named Frank in the room.

JOHN DILL, surgeon—The deceased died half an hour and ten minutes after being brought to my house. Cock was shot in the right side by the nipple. When probing the wound deceased said, "You are killing me." I made a post-mortem examination, and found a punctured wound under the right nipple. I traced the wound through the right lung and found the bullet had broken the fourth rib, forcing a portion into the lung. The bullet then lodged in the muscles of the spine. There was no doubt that the deceased had died from the effect of the gunshot wound. I found the bullet produced. It is a conical bullet.

JAMES BENT, police superintendent—About a quarter to one in the morning of the 2nd August I received intimation of this occurrence. I went in a cab to Dr. Dill's house, and saw the deceased, Cock, who was then alive. I sent some constables to Chorlton, and followed myself. On getting there, I left the cab, and I and the constables went up the Chorlton-cum-Hardy Road to Mr. Deakin's gate, from whence the outhouse where the prisoners slept can be seen. The windows can also be plainly seen. On arriving there I observed a light in the window. I then called Mr. Deakin up. On returning I found the light was gone. I was away a few minutes. Mr. Deakin called out "Jack"; some one answered, and the door was opened. Mr. Deakin did not stay, but went away immediately. Mr. Deakin said, "Mr. Bent wants you." I and Inspector Whillan rushed into the house, and by the light of the lamp I saw the three brothers in bed. The head of the bed was towards the door. The prisoners did not say a word. They did not seem like men that had been asleep. I pulled the clothes off, and told them to remain quiet; then made them get up one by one and dress. I told them to put their boots on,

Charles Peace.

James Bent

and when they had put their feet in the boots I asked them to return them to me. I kept William's boots, and allowed the others to put their own on again. William's were wet and "slutchy." They appeared to me to have been recently wetted. Frank and John had only one pair; William had two pairs. The others were wet, not "slutchy." William put a pot hat on. I handcuffed them. I had up to that time made no charge. I then said, "Mind what I am about to say. You three men are charged with murdering Police Constable Cock." That was all I said. I had named neither day, place, nor time. Upon that John raised his hands and said, "I was in bed at that time." I had not mentioned any time. Frank and William did not speak; they were all three sent in a cab to Old Trafford Station. I searched the outhouse, and found no firearms. The outhouse consisted of only one room. On the mantelpiece I found a candle half burnt, and I am of opinion that it had been recently burning. The candle was soft, as if it had just been blown out. There was no gas. The fireplace was cold, and there was nothing to have shown a light but the candle. I then went to West Point and remained there till daylight, posting officers to prevent people from walking upon the spot. I examined the ground, which was sandy gravel and cinders and hard, at Firs Lane gate, and found a number of footprints, which appeared to have been made by two or three pairs of boots. I found one particular one, near the gate, pointing from the Firs Farm. There was another which I found to be one coming from the farm. It was that of a labourer on the farm. The one I compared was very distinct, and coming in the direction of Seymour Grove. On seeing that mark I sent for the boots from Old Trafford. I compared William's left boot* with that footprint, and found it to correspond in every particular. The footprint was a recent impression. I made another impression close to the footprint, and they corresponded exactly.

[The boot was produced and handed up to the Bench.]

I saw the outside rows of nails were very close together, and they corresponded with the footprints. Inside the outer row of nails there was an inner row, and I counted the marks in the impression and found 14 in one row and in the other 13. After counting the nail marks I counted the nails in the boot, and found them to correspond in number and shape. Between the outer and inner there are two rows. I counted the marks in the impression in each row, and they corresponded perfectly. There was an irregularity in the boot, and so there was in the impression. In the toe of the impression there were two marks, and it was the same in the boot. There was an iron plate on the heel of the boot, and the same in the impression. There were some

* See Illustration.



Photograph of the Sole of the Left Boot worn by William Habron,

The Pointers 1, 2, 3, 4 point to the rows of nails spoken to in the evidence as corresponding to those of the footprint. Nos. 5, 6, 7, 8, 9, 10 to individual nails, and 11 to the worn part of the heel.

Trial of the Habrons.

James Bent

marks round the heel plate, and I found them in the impression in the same relative position. There was no single particular in which the impression did not correspond with the boot. There were impressions of the boots worn by John, but, though they coincided generally, I could not find a perfect impression. The impressions I have spoken of were on each side of the Firs Lane gate. Other officers were present. After comparing the impressions I went to the Old Trafford Station, and in William's left-hand waistcoat pocket I found two percussion caps, which he said he knew nothing of. He afterwards said those caps might have been in the pocket when Mr. Deakin gave him the waistcoat. I knew Mr. Deakin had given him clothes. I took the statement. He said he had not been to the Police Court that day. He said he had had two or three glasses of ale at the Royal Oak, and he and John had been to Lloyd's and had two or three glasses there, but they were in bed by half-past nine. He then checked himself, and said he afterwards went to the Royal Oak for some tobacco a little after nine, and that Frank was in bed when he got there. I took Frank's statement, and then John's. John said he never was away from the place where he lived after he came back from the Court. I said, "William says you were drinking at Lloyd's." He then said, "I did go to see if William had come home, but I had no drink, and we were in bed at half-past nine." John and William had been to the Police Court on 27th July, and John and Frank on 1st August. The summons against John, which had been adjourned, was dismissed. William had been fined on the 27th. The place at which the officer was shot was the end of his beat, and he arrived there at the proper time.

Cross-examined by Mr. LERESCHE—William and John were both summoned on the first occasion. William pleaded guilty, and was fined. John set up a defence that he was not the guilty person, and he had witnesses to prove that it was his brother Frank. The case was adjourned, and then when it came on again the charge against John was dismissed.

Cock was 5 feet 7 or 8. One bullet had hit the wall; it is 9 or 10 feet up. Cock gave evidence against John on 1st August; it was over at two or thereabouts. I suspected the three men from the first, and did not allow a moment to elapse before going to their place. I have made every search, but could not find any arms. I and my officers have dug over the wheat field, and searched all the pools and ditches, draining them and searching the muddy bottom. In fact, I have made an exhaustive search and found nothing. There were six or eight men with me when I went to the outhouse. I did not say, "Get up, you men; you have killed Police Constable Cock." I am certain I made use of no such words. It was on the sand and gravel I found the footmarks. There had been no rain from ten o'clock the previous night. The road there was dry. I made

Charles Peace.

James Bent

no cast or photograph of the footprints. The ground was admirably adapted to receive an impression. I examined the impression before the rain fell at 5 a.m. I could not find an impression of the extreme outer row of nails.

Re-examined—You could get from Firs Lane gate to the outhouse without leaving footmarks, by the high road or the grass.

Police Sergeant THOMSON, recalled—A little before Cock died I went with Gillanders to Deakin's. I stopped at his gate. I saw a light in the outhouse five minutes before Mr. Bent came up. When he charged the men neither time or place was mentioned. Mr. Bent did not make any remark when he first went in as to his errand. He did not say, "You have shot Cock to-night." John interrupted Mr. Bent, and said, "I was in bed at that time." The other two hung down their heads, and were trembling very much at the time. I was with Mr. Bent when the examination of the footsteps was made, and was satisfied of their identity with the boots. Mr. Bent's account of the footprints is correct.

THOMAS WHILLAN, police inspector—I went with Bent to Deakin's. I saw a light in the outhouse seven minutes before Mr. Bent knocked at the door. [This witness then confirmed Bent and Thompson's evidence as to the charge and John's answer; also as to the footprints.] The men were not sleepy.

Cross-examined by Mr. LERESCHE—I believed these were the men. I brought the boots to the place for comparison.

ALFRED LOVE, landlord of Lloyd's Hotel—I was present when the footprints were compared with impressions made by the prisoner's boots, and they corresponded exactly. I could detect no variation.

Cross-examined by Mr. LERESCHE—I saw one print first at 4 a.m., and two afterwards at 5 a.m., a few inches apart, alongside. I did not count the nails in the second impression. I counted the inner nails of the first, when the boot came. I noticed the impression of the plate. Bent's impression was not so perfect as the first.

JOHN GILLANDERS, police constable, Old Trafford—I went to Deakin's. I saw a light in the outhouse. It was out five minutes afterwards. [Witness then corroborated Bent as to what passed in the outhouse and as to the footprints.] There was black slush on William's boots. There were three wet places in Deakin's ground. There were no marks of boots there.

Cross-examined by Mr. LERESCHE—The road in Firs Lane was hard. There was a pit of water in Deakin's. There were no footmarks between Firs Lane and Lloyd's.

Trial of the Habrons.

Charles Hodson

CHARLES HODSON, police constable, described the search of the outhouse—On the 3rd of August I went to the outhouse again. I found a black waistcoat and three percussion caps and a bullet. The caps were in a grey waistcoat; both belonged to John.

JOHN HENDERSON, police inspector—On the 3rd of August I found a conical bullet on the mantelpiece, and in a box a waistcoat, in the pocket of which were some percussion caps. [He described the footprints, showing the peculiarity of the impressions.] He had no doubt whatever that the boot produced made the impressions he had seen. He made a memorandum at the time. There was rain on 1st August between six and seven.

Cross-examined by Mr. LERESCHE—I saw the marks on the morning of the 2nd August. I made the memorandum shortly after.

Re-examined—I compared boot and impression at 10 a.m. on Wednesday.

JOSEPH KEIGHLEY, police sergeant, described the search of the prisoners' premises—He also had compared the footprints, which corresponded exactly with the boots.

JAMES FITZPATRICK and JOHN VICKERS, police constables, gave corroborative evidence.

JOHN WALSH, labourer—I was waiting for John Gresty, market gardener, opposite Lloyd's Hotel. I was at Lloyd's Hotel on Tuesday, 1st August; John and William Habron and Patrick Walsh were there, and had some beer. It was ten o'clock or after when they and I left. The Habrons went towards Mr. Deakin's. At nine o'clock I saw Frank in bed.

Cross-examined by Mr. LERESCHE—William and John came out with him, and they went to their home. He did the same. William had his boots off at the time he saw Frank in bed, and witness asked him to come out and have a glass. William said he was not going out; but witness pressed him, and he came out. William went with me for some tobacco at the Royal Oak before nine o'clock.

HENRY HAYSON, farm labourer—On the 1st August I saw John and William Habron at Lloyd's in the evening. They left about half-past ten.

ANN CABERS, waitress at Lloyd's Hotel—I live at Lloyd's. On the 1st of August the prisoners were there about 10 and left at 10.30. They had beer, two glasses each. John had two whiskies earlier in the evening.

Charles Peace.

Mary Brundrett

MARY BRUNDRITT, wife of Henry Brundrett, Chorlton—I live in Oswald Grove, which communicates with Firs Lane. There is a road from Lloyd's to Firs Farm, across the ditches at the back of my house. It is not a public road. During the night of the 1st August, from twelve to one, I heard at the back of the house a great noise as of something running fast. At first I thought it was a horse or a cow. My husband got up and looked, but saw nothing. It was by the end of the house; there is a lamp there.

Cross-examined by Mr. LERESCHE—It was unusual to hear such a noise. We had cows in the garden before.

EDWARD BLAKELEY, a boy eleven years of age—On the 1st of August I was staying at Mr. Chambers's house in Chorlton. There is a path leading to Firs Farm, near the house. I was wakened by Mr. Chambers's dog barking at 12.15. I heard the clock strike afterwards. I never heard the dog bark before.

FRANCIS DEAKIN—I am a nurseryman. The prisoners have been in my employment for some time—William for seven years, Frank for eight years, and John for nine years. On Tuesday, 1st August, I went away to market at 3 a.m., and returned before five. I was at home afterwards. Before I returned on Tuesday I saw the prisoners Frank and John at the Police Court. The case was dismissed against John; William was not there. John had been working up to the time he came to Court, gathering raspberries, and when he came back he would return to that occupation. I saw William with a man named Cosgrove tying lettuces during the day. I saw them last at 5.30 or 6. It rained on the morning of that day; it was fine in the afternoon. It was a dirty job for the hands and boots gathering lettuces. The soil is light; there was no black slutch among the raspberries or lettuces. I remember Mr. Bent coming to my house, and I went with him to the outhouses. I stayed till the police took them away. I did not hear Mr. Bent make any charge. He told them to put the clothes on they had on the night before, and he told them not to speak. The black waistcoat and the grey one were given to John by me. The prisoners bore good characters. I never gave them any caps, powder, bullets, or firearms. I did not know they possessed any percussion caps. I kept the box with the caps locked up in a desk. There was no means of the prisoners getting to the desk.

Cross-examined by Mr. LERESCHE—The prisoners were peacefully disposed. John was my foreman. John was at work all Monday as far as I know, till I sent him away to the carters, and then into another field. We were busy preparing for Tuesday's market, busy and shorthanded. On Tuesday at five William was at work, and could not have been away without my knowledge. If any of my men had been away that afternoon I must have found it out.

Trial of the Habrons.

Francis Deakin

William remained at work till six. I left work with John on the Tuesday what work he had to do. I used to carry caps in my waistcoat pockets. It is quite possible that some caps might have been in them when I gave them away. All Saints' Church is $3\frac{1}{2}$ miles from my place.

Re-examined by Mr. HIGGIN—I was not from home on Monday. William was cutting cauliflowers at 2.30. I then sent him on a message to the carters at Red Gate on the way to Manchester. I saw him no more that day. It is eighteen months since I fired my gun. I gave the waistcoats away last spring. I had them laid by a long time.

DONALD M'CLELLAND—I am shop assistant in the employment of Mr. Moore, ironmonger, opposite All Saints' Church. William came to my master's shop either on the 31st of July or 1st August, some time between three and five o'clock. He asked to see some cartridges. I asked him what kind, and he asked to be shown some. I again asked what kind, as we kept both pin-fire and central-fire. He said, "Show me some out of the window." I said the two kinds were in the window, and he replied he would go outside and point out what he wanted. He went out and pointed to the box produced. I took them to the counter. They are Eley's patent central-fire cartridges, No. 450, for revolvers. I asked him if he had the revolver in his pocket. He hesitated, and said "No." He said he thought they were the proper size, and asked the price. I said either 3s. 3d. or 3s. 6d. the box. He said he did not want a box, and asked if he could have less. I said we could not break into a box. He said he could not take a box, he would have to consult somebody else in the matter. I showed him a revolver which would take the cartridges he had been shown, and placed a cartridge in the chamber. The prisoner said, "I think that is the size." He asked the price of the revolver, and I told him 35s. or 40s. but that we had some cheaper, from 10s. I am sure William is the man; I saw his face and his dress. He had an Irish accent.

Cross-examined by Mr. LERESCHE—I never saw him before. He did not come back. I read an account of the murder in the paper. I went to the station on the 11th August. I had not spoken to the police myself, but I believe a friend of mine had. Mr. Bent came to the shop to ask me to come and see if I could recognise the man. I saw the prisoners come in the dock, and identified William at once. I cannot say the day, or come any nearer to the time than that it was between 2.30 and 5; but I should think it was nearer five. He had a similar coloured shirt to what he has on now—it was the only thing I had noticed. A police constable came on 2nd August to make inquiries. I identified William as the man as soon as I saw him.

Re-examined—It is unusual for a man like the prisoner to ask me to break into a box of cartridges.

Charles Peace.

John Henry Simpson

JOHN HENRY SIMPSON—I am fellow-shopman to the last witness. I was in the shop when the occurrence spoken to by the last witness took place. It happened on the 1st August, between three and five. I cannot positively swear to the prisoner, but I think William is he. I was doubtful as to the day until after the coroner's inquest. I am sure now it was Tuesday.

Cross-examined by Mr. LERESCHE—I may have said Monday.

WILLIAM GRIFFITHS, gunsmith, Bridge Street, Manchester—I have been a gunsmith forty years. The bullet found in Cock's body was a conical bullet used for a breech-loading firearm. It is part of a revolver cartridge, No. .442. It is a size smaller than those in the box produced by last witness, and the revolver produced by the last witness would not take cartridges with bullets like that found in the body. The bullet had been fired out of a rifled barrel. The weapon must have been of poor workmanship, as the grooves were ragged and not clean cut—not a pin-fire. It must have been fired from a rifled barrel, and not a fowling-piece. The larger cartridge—the one found in the mantelpiece—was a Government Snider cartridge. The caps are three sizes, and are all fowling-piece caps. But they would fit a large pistol nipple. It requires a practised eye to distinguish between a .442 and a .450 cartridge. The difference is the 8000th part of an inch.

Cross-examined by Mr. LERESCHE—Caps are not wanted to fire cartridges.

JOHN LEVERETT, bootmaker, said he had seen the boot. He described certain peculiarities of the nailing, arising from imperfection of workmanship. The right boot did not correspond with the left.

Evidence for the prosecution closed.

The Court adjourned.

Second Day—Tuesday, 28th November, 1876.

Mr. JUSTICE LINDLEY said that before the evidence was called he should like to recall Police Constable Beanland, in order to satisfy himself as to a certain point in his evidence. Beanland said that the man he saw came down Chorlton Road from the direction of Manchester, and crossed Seymour Grove and stopped; turned round towards Cock and himself 3 or 4 yards from the lamp. He should like to know which lamp. He understood it was lamp No. 1.

The witness said he crossed from the lamp opposite West Point towards Mr. Gratrix's, and then walked to the lamp in Seymour Grove.



Scene of the Whalley Range Murder.

(As it is to-day, 1926.)

(Seymour Grove is the turning to the left.)

Trial of the Habrons.

Evidence for the Defence.

WILLIAM KELSALL—I am a gardener in the employment of Mr. Deakin, and have been there since the 1st May. I know the two prisoners and their brother. On Tuesday, 1st August, Frank and John went to the Court—on the day of the night the policeman was murdered. On the Monday I was picking vegetables. On Tuesday I went to market. I left the market, as near as I can remember, about twenty minutes past three. It was that time by the clock in the Strudeshill Market when I came down Upper High Street. As I left, I was joined in the cart by Frank and John. They had returned from Court, and joined me in the cart. We drove from the market to Mr. Deakin's ground, and arrived there about four o'clock, and directly I got there I found William in the yard. I saw him for the rest of the afternoon. I remember William bringing me my allowance of beer in the stable. I was taking the pony out at the time, and William said, "Kelsall, I have brought your beer." I again saw him in the field, after I had done attending to the pony, pulling lettuces. William was there at six o'clock, when I left. Prisoners have borne good characters, and are peaceable men. I never heard them threaten any one.

Cross-examined by Mr. HIGGIN—I never interfered with them, and never gave them any cause for quarrelling. I was always on good terms with them. There were two fields of lettuces. I was in one across the road. They went to Smithfield Market. It was about 4 miles from Mr. Deakin's ground to Smithfield Market. I think it is about a mile and a half from All Saints' to Mr. Deakin's house, and 4 miles from the market. The first time I saw William on that day was at four o'clock. We stopped on the road coming back, first at the Crown in Great Jackson Street. We came home up Moseley Street and by City Road. We only stayed a few minutes at the Crown. We next stopped at Kellam's, watch-makers, where Frank called to see if his watch was ready for him. I did not get out of the cart. There was no clock at Mr. Deakin's, and when I said we returned at four o'clock I spoke to the best of my judgment, considering the time I left Manchester. I well remembered getting the pint of beer, for Mr. Deakin allowed each man in his employment a pint of beer.

You said you left Manchester at twenty minutes past two?—No, at twenty minutes past three.

You said two?—I beg your pardon, I said three.

You said two distinctly, but if it is a mistake it is no matter.

Re-examined—I have not heard the prisoners utter threats about the policemen. In fact, they seemed very jovial, and I thought they were jovial and glad they had got off. I never heard any expression of anger from them all the way back.

Charles Peace.

John Cosgrove

JOHN COSGROVE—I am a labourer at Mr. Deakin's. I have worked there eight years. I remember John and Frank going to Court the day of the murder, and I was at work on that day from six in the morning until late at night. Frank and John went to Court about ten o'clock. I worked with William all that day, getting raspberries till nine o'clock in the morning. After that they were tying lettuces, and I was doing that the rest of the day up till five o'clock. I was in the yard when John and Frank came back, and William was with me. We went back to the lettuces, and worked till eight in the evening.

Cross-examined by Mr. HIGGIN—I was ill on Monday and not working. I never said that I, John, and Frank were gathering raspberries on Monday, but on Tuesday. I never said that we were gathering raspberries on the Monday. I never said I could not remember where they were working on Monday, or what time. I could not give any account of Monday.

Have you ever said you could not remember where you, John, and Frank were working on either Monday or Tuesday, as to the time?—I never did.

Do you know Inspector Henderson?—Yes.

Did he make any inquiries from you on this matter?—He did.

Did he write in a book what you said?—Yes, sir.

Did he read it over to you?—Yes, sir.

Did you put your mark (pointing to the book)?—Yes, sir.

Is what you told him true?—Yes, sir.

Don't mutter to yourself. If you have anything to say speak out?—I have nothing to say but what I said before.

Then what you told Mr. Henderson is true?—Yes, sir.

When was it he asked you about this writing in the book?—I cannot tell what day it was.

I dare say you can remember when the three brothers were up before the magistrates?—Yes.

Were you in the Court?—No.

The witness went on to say that from seven to six were the usual hours of work. Monday was wet, and no raspberries could be gathered. I was not there on the Monday, because I was suffering from diarrhoea. I knew I had to come early on Tuesday, for Martin Farrer came and told me close upon seven at night.

[Mr. HIGGIN then read the witness the words he was alleged to have signed in Inspector Henderson's pocket-book. These words were: "On Monday, before the murder, I, Frank, and John were getting raspberries, but I cannot remember where or how we were working either on Monday or Tuesday as to time. (Signed) John Cosgrove."]

(Showing witness the book)—Is that your mark?—Yes, but it is wrong; there is a mistake in the day.

There is a mistake in the day? Now I understand. What days do you substitute for them? What days were you referring to?—Well, I cannot say.

Trial of the Habrons.

John Cosgrove

Mr. HIGGIN—I thought so.

Re-examined by Mr. LERESCHE—You say on Monday you were away, and on Tuesday you were there?—Yes.

WINIFRED FOY, single woman, Southern Street, City Road—I work for Mr. Deakin. On Tuesday, the 1st August, I saw William, first, at seven in the morning, then, through the morning, and, again, at dinner-time at twelve. He was there when we went to work at one. I also remember Kelsall, John, and Frank coming back in the trap. William was in the place all the time between one and four; I saw him at five in the yard, and at 6.30.

Cross-examined by Mr. HIGGIN—I was examined by Mr. Henderson. I did not say at any time I did not remember what they were doing on the Tuesday. I told him all they were doing on the Monday.

Did you tell him anything you were doing on the Tuesday?—Yes.

Did you tell him what you have told us to-day?—I told him as near as I could guess as I have told you to-day?

Have you told us to-day as near as you could guess?—Yes. I was picking raspberries on Monday from 7 until 11.30. Then it came on wet, and later in the day, between the showers, until seven.

Did you tell Inspector Henderson anything about the Tuesday?—I forgot.

Did you tell him you could not tell him anything about the Tuesday?—No, sir.

Upon your oath, upon his questioning you about Tuesday, did you give him an answer to a single question?—Yes.

What did you tell him?—I said I had been with William on Tuesday.

Did he write it down?—Yes.

Did he ask you to make your mark?—He did.

Frank is called Adam, and William, Bill?—Yes.

Upon your oath did you mention anything to Mr. Henderson about the Tuesday?—I cannot say.

[The entry was then read, and it said, “They were working on Monday until dinner-time at 11.30, then Mr. Deakin took them away. Until night we got raspberries.”]

Mr. JUSTICE LINDLEY—There is nothing in the book about Tuesday?

Mr. HIGGIN—No.

By Mr. JUSTICE LINDLEY—Was Cosgrove working on Monday?—No.

CATHERINE CONLON—I work for Mr. Deakin. I worked on 1st August all day. William was there all day from 7 a.m., picking raspberries. John and Frank went to Court. At 11 a.m. William sent me to get currants, and came every half-hour to see us. At twelve he fetched kettles and hot water for dinner. He had lettuces

Charles Peace.

Catherine Conlon

before and after dinner. I weeded after dinner in the same field as the lettuces are. I was on the rise and he below me in the same field. John and Frank came home at four. William came for a can at about four. I saw him in the opposite field. At a quarter to five he and his brother came down the field. At half-past six I saw him again.

Cross-examined—I do not recollect what I was doing on the day before or after the murder. William was working in the field on the other side of the road—opposite the Royal Oak. I got no raspberries between eleven and four. Cosgrove was getting lettuces with William.

MARY O'BRIEN, examined by Mr. LERESCHE—I worked at Deakin's. On the 1st August I worked with Foy and Conlon all day. I saw William during the day, all day. John and Frank came home at four. I dined between twelve and one. Then went to weed. William took us to show us where to work. He tied lettuces with Cosgrove. This went on until four. I saw William in the yard then. I went then to get raspberries with William, Frank, and John till 6.30. William worked at the lettuces with Cosgrove in the other field.

Cross-examined by Mr. HIGGIN—Buses run fifteen minutes before every hour past Deakin's up past All Saints' Church. The 1st August was the first day I went to work at Mr. Deakin's. I went weeding on a rise in the field where William was working. I do not remember what I did on other days.

WILLIAM RAINES, physician, Chorlton, examined by Mr. LERESCHE—I have known the Habrons familiarly five or six years, and they are peaceable, well-conducted men.

Cross-examined by Mr. HIGGIN—Buses are frequent past Deakin's. They do not go right to All Saints' Church. The end of Jackson Street which they turn down is about half a mile from the church. The Brook's Bar omnibuses ran much oftener, and some of them passed All Saints'.

JOHN GRESTY, market gardener, Chorlton—I live next to Deakin's. I have found the prisoners to be decent, quiet people.

Speech for the Defence.

Mr. LERESCHE said that it now became his duty to put before them views likely to assist them in reference to this most important issue they had to discharge. He could quite understand that the inhabitants of the suburbs of Chorlton and Whalley Range must be very much disquieted by this incident, and it was therefore imperative in a momentous question like the present that they should have the most cogent, conclusive, irresistible evidence before they

Trial of the Habrons.

Mr Leresche

brought the crime home to any prisoner. It was a case in which they could come to no compromise. It was either murder, or it was nothing at all as regarded the prisoners; but, so far as regarded the poor policeman, it was unquestionably murder. There was no doubt that the policeman was on his beat, going his accustomed rounds at midnight, when he was shot dead, and that not by accident, but by a deadly weapon used by a person who knew what he was doing. The mere fact that a murder had been committed did not touch these men. The question was, was there any evidence, of the character he had described, which brought home conclusively and affirmatively to their minds that the two men the prosecution had put in the dock were guilty of the crime with which they were charged? His contention was that the prosecution had failed to make out their charge, and, that, being so, these men were entitled to leave that Court freed from that terrible charge.

There was an entire absence of direct evidence in this case. The poor man, although he lived half an hour, yet practically died on the spot, for he was utterly unable for all practical purposes to give any account of this matter. The expression spoken to by the police, "Frank, let me be," was the delirium of a dying man, and could not be relied upon. In the absence of direct evidence his learned friend had put his case on the ground that he had established a perfect chain of circumstantial evidence. That being so, he wished to remind them, with regard to circumstantial evidence, that it was a matter which the history of the law (particularly the criminal law) had shown to be surrounded with difficulties, and accompanied also in many cases by the gravest uncertainty. When such a terrible charge had been made it was absolutely vital that they should feel that they were convinced, not upon any uncertain ground, but upon the surest. Far be it from him to address twelve gentlemen and suggest that it was impossible that there could not be a chain of circumstances so close, so packed, so cogent as to make it irresistible for the jury to arrive at a conclusion in the absence of direct evidence. What he suggested was that it was a class of evidence which required careful watching. There should not only be a continuous chain, but each individual link in it must be perfect.

He asked whether a sufficient motive had been adduced? It was said that revenge was the acting principle, but he asked the jury to inquire how far that motive had been made out. Why should the prisoners have had such a deadly malignant feeling as to induce them to shoot the policeman dead? He contended that the threats used were nothing more than the rash, coarse way of speaking, too prevalent amongst the lower classes, which any observant person in passing down the street had heard over and over again. However violent the language used, they must not attach too much importance to what were, after all,

Charles Peace.

Mr Leresche

mere breath and random expressions. He particularly desired to impress on them this fact that only one threat was imputed to William, all the rest being charged upon John. Among the witnesses who spoke of threats was Wilcox, the watchmaker, but his testimony referred to a period so far back that it could not be accounted trustworthy. Then the evidence of Mrs. Carter, the landlady of the Royal Oak, did not imply very active malice, for the remark she particularly insisted upon was that the prisoners said, "We'll shunt him." They did not say "shoot him."

Then, further, the evidence of identity was extremely loose. The witnesses would not pledge their word as to the prisoners' identity, but spoke in so loose a manner that no intelligent person could feel convinced that identity was proved. A good deal had been made of the officers seeing the light in the outhouse, but the only thing he would point out was that a thousand reasons would suggest themselves to any one to account for the men getting up and striking a light. It was quite insufficient upon which to found any charge. Again, as to the question of mud being found on the prisoner William's boots, the evidence of Police Constable Gillanders showed that there was plenty of muddy pools, which would account for the state of his boots. It was also suggested that John repudiated the time before he knew what he was charged with, but he would ask them to remember that it was extremely likely that Superintendent Bent was agitated, and also that the prisoners, being awakened at that hour of the night, were not so coherent as they might have been. As to the evidence of M'Clelland, who stated that William went to purchase some cartridges, he would say that if they relied upon the evidence of all the people who were engaged at the nursery, and believed they were speaking the truth, then the conclusion they must come to was that there was a mistake on the part of M'Clelland. That witness was not confirmed by his fellow-shopman, Simpson. The first positively swore to William; the second said he could not be positive. That somebody went that day to inspect the cartridges he was not prepared to deny, but that it was proved to have been one of the prisoners he did deny.

He had no reason to object to Inspector Henderson's memorandum. All he could say was that he might be a good police officer, but he was a very indifferent note-taker. Advertising to the bootmarks, he would point out that there was only one footmark. He asked the jury to remember that fact distinctly. There was then only that one which was said to correspond with the right foot, so that they would see that they had not the evidence of a pair of boots, the marks of which corresponded with these impressions. Further, he asked the jury to consider seriously whether it was possible, considering the state of the ground—sand, cinders, and gravel—that a perfect mould would be made? Again, everything that intelligence, zeal, untiring toil, and labour could accomplish

Trial of the Habrons.

Mr Leresche

had been done by Superintendent Bent; and, although all this had been done, the prosecution had not been able to trace to the possession of any of these men a weapon such as must have been used in the carrying out of this project. This was not a case where a long period having elapsed between the committal of the murder and its discovery, there would have been an opportunity to remove all traces; but it was a case where, within a few minutes after the man was shot down, the superintendent arrested the suspected men, when they could not have had any time to make away with any weapons. If anything had been thrown away, it must have been found. The police had emptied every ditch, turned over the silt and mud, dug up the fields, and found nothing. He complimented Mr. Bent as a zealous and intelligent officer, but he contended that it was presumptive evidence of the accused's innocence that after all this searching nothing was found. He asked the jury, before they came to the conclusion at which the prosecution wished them to arrive, to weigh all the points of the case and reject any link in the evidence which was faulty. The all-important question of motive was not properly made out. There was no trade combination which made men lose their heads and become tools for the vengeance of others, nothing to induce them to come to the horrible determination to shoot a fellow-creature. Surely the flimsy pretext suggested was not a sufficient motive. Taking all the evidence into consideration, the only course which they as fellow-citizens could pursue in this momentous case was to find the prisoners "Not guilty."

Speech for the Prosecution.

Mr. HIGGIN commenced by paying a warm compliment to Mr. Leresche on the manner in which he had conducted the defence, and, so far as any word of his could go, he ventured to tell him that no one, whoever he was, could have done more honest, perfect justice in a case of that kind than his friend, Mr. Leresche. It was no part of his duty to wrest or to win any verdict, and least of all to win it by any rhetorical effort. He asked them to do him the justice to remember that in opening that case he had endeavoured to lay before them the facts as they occurred, and as they appeared to him to be pertinent to the case. These men were on a trial which involved their lives, but the charge had no fears for him. It only made him consider well what was his duty towards them. That the policeman had been cruelly murdered no reasonable person could doubt. A remark had been made about quieting the fears of the inhabitants of this locality. If the facts pointed to a conviction, and that conviction was rightly come to, then he should be glad for the fears of the inhabitants to be quieted. If not, the inhabitants must do the best they could to find out the murderer; but these men's lives were not to be sacrificed to quiet the fears

Charles Peace.

Mr Higgin

of the inhabitants of that district. Some people stated that a conviction should never be obtained upon circumstantial evidence. He would say that circumstantial evidence might be as strong, as powerful, and as convincing as the most direct evidence. It might be as strong as if they saw the act committed, and therefore he did not believe that there was any gentleman in the box who came with the predetermination to allow any view or prejudice of any kind whatever to step in between his judgment in this case and his preconceived opinion; and, therefore, presuming that he was addressing men who were desirous of approaching the case from a reasonable and sensible point of view, he believed they would not be frightened by being told it was a case of circumstantial evidence. If they were to take any one point alone which might be proved, he did not think the jury would convict on that one point, and he would not ask them to do it. He asked them first of all to consider those particular points which were proved to their satisfaction, to dismiss those which were not so proved, and then to put them all together and ask themselves, as sensible and reasonable men, what conclusion they pointed to.

Mr. Higgin then reviewed the evidence, and said that he should not ask them to disbelieve a man's testimony because he was a fellow-labourer of the prisoners. But he would ask them to weigh M'Clelland's evidence against the evidence for the defence. He contended that Cosgrove could not be believed. He saw no reason whatever to disbelieve the evidence given by M'Clelland and his fellow-shopman. The former swore positively to the prisoner, William, and the latter had a confident belief that he was the man who came for a few cartridges. This was the evidence they had against what was brought in favour of these men. Somebody upon that fatal day was endeavouring to buy cartridges. The witness said it was William, and another had a confident belief it was that man. Two of the witnesses brought from the farm to give evidence for the prisoners were proved to have come here to say that which they knew to be untrue.

With regard to the characters of the prisoners, they were said to be peaceable and quiet men. If that were so, they indulged in the strangest possible language, and carried in their breasts the most deadly and savage revenge. It did not seem consistent to him that quiet and decent persons should be going about to public-houses using such threats as had been stated, and that they should, if they believed the case for the prosecution, be shooting down a policeman in the dark. He had no desire to rob these men of any spark or shadow of good character which attached to them, but, if nothing whatever could be said against them otherwise, it was clear that, if they had committed this murder, all the jury could say was that their character was good for nothing at all.

The learned counsel reminded the jury of the circumstances connected with the finding of the deceased after he had been shot,

Trial of the Habrons.

Mr Higgin

and with the arrest of the prisoners. He then said if, about twelve o'clock on this particular night, the prisoner, William, was near the place where the deceased was shot, in company with his brother, John, who that very morning had uttered threats against the deceased, and if afterwards William was found under suspicious circumstances in the place where he slept, the evidence of the alibi fell to the ground. To what conclusion was the jury to come, then, but that this was the man who fired the shots. He did not desire to pursue these men. He only wished to perform his duty to the public and to the jury. He desired that in this case there should be no failure of justice. If they could say with safe consciences that these men were innocent of the crime laid to their charge, no man in that Court would rejoice more than he.

Charge to the Jury.

Mr. JUSTICE LINDLEY said that unquestionably this case was one of very great importance, not only because all cases of murder were important, but because this particular murder was that of a policeman upon his beat; and not in the course of a struggle or in the course of any riot or disturbance. It was done, so far as one knew, without any immediate provocation, and it was, therefore, in the highest degree desirable, and in the highest degree important, in the interests of the public that the person who killed that policeman should be found, and should be brought to justice. No doubt from the facts that the deceased was murdered at so short a distance from the town, and in one of the most respectable suburbs, this case had given rise to considerable excitement, and the probability was that the jury had heard through the papers a great deal more about it than he had. Their duty, however, was simply to find out the truth if they could. The question before them was a very simple one. Did the prisoners, or either of them, shoot this man Cock? He asked them to investigate this question as they would any other, without the slightest regard for consequences. The question resolved itself into two at the outset. In the first place, was Cock murdered? Of that he thought there could not be much doubt. It had hardly been suggested that he came by his death in any other way. But, apart from that, they could, by attending to the evidence, come to the conclusion that he must have been murdered. That his death was caused by the bullet which was extracted from his body was plain beyond all question. Now, how came the wound in the deceased? There was not the slightest reason to suppose that the deceased inflicted it himself. There was ample reason to suppose that he did not. Then the wound must have been inflicted by somebody. Again, the evidence negatived anything like an accident, or a struggle. Whoever did the deed must have done it deliberately, and with a desire to take the man's life. By that train of reasoning they had

Charles Peace.

Mr Justice Lindley

arrived at the conclusion that Cock was murdered, and they had arrived at that conclusion entirely by circumstantial evidence.

They now came to that which was a much more difficult and serious question, did the prisoners or either of them, murder the deceased? He would ask them to apply to this the same process and the same train of reasoning. Let them put to themselves throughout the double question, is the evidence consistent with the guilt of these men, or either of them, and is it fairly inconsistent with their innocence? If, in answer to that double proposition, they found that the evidence was consistent with the guilt of the prisoners, or of either of them, and was fairly inconsistent with their innocence, then they would arrive with the same certainty and the same safety at the conclusion that one of these men committed the murder, as they had arrived at the conclusion that Cock was murdered by somebody. But if the result of the evidence upon their minds should be that, although the whole of it was consistent with the fact that these men, or one of them, might have murdered Cock, yet, when considered fairly, it did not exclude a reasonable inference of innocence, the case would be one of suspicion as distinguished from one of proof. They had to consider whether this case was one of reasonable certainty or of suspicion. Passing to the circumstances which pointed to the guilt of the prisoners, he said it was in accordance with human nature that they, having been heard to utter threats against the deceased, should be suspected of having murdered him. He proceeded to read over the evidence.

The learned judge then referred to the question of the buying of the cartridges at the shop near All Saints'. He said the first question was, when was the application made and by whom? Upon both these points there was some little doubt, although now it appeared tolerably fixed that the application for the cartridges was on the afternoon of Tuesday, the 1st August. Both M'Clelland and Simpson at first were not sure about the date. M'Clelland spoke to the man, but without certainty as to the date; whilst Simpson did not speak as to the man, but with more certainty as to the date. It would, however, appear to be established that the application for the cartridges was made on Tuesday afternoon, and not on Monday. The jury would have to consider whether there was any mistake as to William being the man who called. M'Clelland said there was no mistake, and no doubt it was a very important fact if it could be satisfactorily established whether William was the man who called. On the one side was the evidence of M'Clelland, and on the other of Cosgrove and the three women who worked at Mr. Deakin's. On the one hand was the evidence of the man who identified a man whom he had seen for the first time, and it was for the jury to take that fact into consideration. As to the evidence of the others, it was for the jury to consider whether they were trustworthy, but, with reference to the case of Cosgrove, he said his evidence must have struck the jury, as it did

Trial of the Habrons.

Mr Justice Lindley

himself, as being very unsatisfactory, because the account he now gave was different from the account he gave to Inspector Henderson. Therefore, the evidence of Cosgrove must be taken with caution, not to say with suspicion; but it did not follow because he had given them a different account that the other witnesses were not to be believed. The evidence of the other witnesses—the women who worked with William—covered the greater part of the day. M'Clelland said the call was made between three and five. According to the other witnesses, William was at work from one to four when the other came back, and then from four everybody in the place seemed to say that William was there. It was suggested, notwithstanding, that he might have gone by omnibus, and come back without being observed. A great deal depended on the credibility or truthfulness of the witnesses. If the jury were of opinion that these witnesses were banded together to speak an untruth, then that was a matter for the jury to judge. The learned judge also pointed out that Mr. Simpson and Constable Beanland saw the man going towards Seymour Grove at two different times. The question was, had the man retraced his steps? It was for the jury to reconcile those statements.

Referring to the impressions of boots, he said that, although there were several impressions which were said to resemble John's, yet there was no reliable evidence which would enable them to say that any particular print was made by any particular boot, unless it was the one said to have been made by the left boot of William. He asked them to dismiss as valueless the evidence of Leverett, because the whole value of his testimony depended on a comparison of the right and left boot. They had not got two impressions; therefore, although his evidence was honestly given, yet it was inapplicable. The evidence which was important was that given by Superintendent Bent. Of course, in weighing this evidence they must satisfy themselves in the first place that the witnesses were desirous of telling the truth, and probably they would be fully satisfied on that head. The next point was, was he possessed of habits of accurate observation, not merely of general appearances, but of minute particulars? Boots, especially those worn by labouring men, were made in great numbers, and were more or less like each other. Any one who would say that any impression was made by any particular boot, unless they could show some particularly defined features in the boot, was not worthy of belief. Therefore they must start with the first step of showing the particular boot to be distinct from all other boots. They had not the impression before them, and they could not compare. The learned judge then went on to show that, according to the evidence of Superintendent Bent, there were peculiarities which distinguished this boot from others. There was the ragged edge. There were four little nails in the heel which were very irregularly arranged. The row had also been put in irregularly. The nails

Charles Peace.

Mr Justice Lindley

also appeared to have been twisted and worn. These were the sort of things one would look to in order to distinguish the impression of this boot from that of other boots.

He would now ask them to consider how far they had got? Did either of the prisoners shoot the deceased? If he did shoot him, he must have been on the spot. What was the evidence that they were there at the time the man was shot? In the first place, what was the evidence against John except the statement made to Bent when he was charged? As to the man that was seen, no one pretended that it was John, and if John was not there it was for the jury to say what evidence there was to convict him. There was another thing he would point out. The men were at Lloyd's drinking at 10.30, but, according to Welsh, they were all in bed at 9.30. He asked them to put these things together. It would not do, in dealing with a question of circumstantial evidence, to take each fact by itself. The strength of the evidence would be in its cumulative character. It was in the multitude of evidence warranting an inference, or pointing in the same direction, which rendered circumstantial evidence useful and trustworthy. They must not only find that all the evidence was consistent with the guilt of the persons accused, but that it was not inconsistent. He had shown them the evidence, if there was any at all, which pointed to John being there, and he asked them as reasonable men to weigh it. If those materials did not satisfy them then they must consider what other evidence there was to implicate him in the matter. He must be shown to have been guilty of one of three things—first, of shooting the deceased; second, of aiding and abetting; third, of previously inciting and urging men to do it. Was there any evidence to satisfy them that John did that? Was there anything beyond the exclamation he made when Bent charged him, or the statement that he made that he was in bed at 9.30, when he was not in bed till 10.30? Was there sufficient evidence to bring the offence, in either of the three forms he had mentioned, home to the prisoner John? As regards William they must return to the question, was he on the spot? They had the evidence, such as it was of Simpson and Beanland, and they had the evidence of the footprint. He asked them to satisfy themselves that the impression was the impression of William's left foot. If they were of opinion such impression was not that of William, they would have but little difficulty in dealing with the case. If they were, in the contrary, satisfied the impression was made by William's boot, then came the next question, what evidence is there to show when it was made, for that was a serious conclusion for them to come to, because, according to the evidence for the defence, he could not have been there the day previously, and the print would not have been there if not made recently. He then reviewed the evidence produced in their favour. Firstly, they were of good character; secondly, when

Trial of the Habrons.

Mr Justice Lindley

arrested they were where they ought to have been—in bed; thirdly, no trace of firearms had been found. These were questions for the jury. They must consider whether there was sufficient evidence to convict both, or either of the men, of the crime with which they were charged, and act accordingly.

The Verdict.

The jury retired at five minutes to five, and after an absence of two and half hours returned a verdict of guilty against William Habron, and of not guilty as to John Habron. The jury recommended William to mercy on account of his youth.

On being asked what he had to say why sentence of death should not be passed, he said, "I am innocent."

The judge then assumed the black cap, and, in passing sentence, said—"You have been found guilty by the jury of having murdered Police Constable Nicholas Cock. It is my duty to pass sentence upon you. The trial has been long, but not unnecessarily so, for the evidence which had to be adduced against you consisted of a number of small details which had to be proved, and all of which had to be carefully considered together. The jury most patiently attended to the whole, and they found the verdict they have just found. I shall simply discharge my duty by passing sentence of death upon you. It will be my duty to present to Her Majesty's Government the recommendation to mercy which the jury have made by reason of your youth; but, having regard to the fact that they have found you guilty, you must not be deceived—for this murder, which is now found to have been a murder committed by yourself, was a cruel murder—and you must not be surprised if that recommendation is disregarded. However, that does not rest with me, but with Her Majesty's Government."

Sentence of death was then passed in the usual form.

The prisoner on leaving the dock repeated, raising his hands, "I am innocent."

But this was not the end; for the Cock murder remains, and must ever remain, an unsolved puzzle.

First, there is no sufficient proof that the Habrons were in any way connected with the affair. Second, another claims the dubious distinction of being the murderer.

It can scarcely be argued that the evidence against the Habrons was convincing, and Mr. Justice Lindley, a newly appointed judge, with little, if any, experience of criminal work, was thought by many competent observers to have been unduly impressed by the evidence in regard to the footprint which was alleged to have

Charles Peace.

been that of William Habron. Certainly this evidence was unsatisfactory, and was not skilfully handled by any one concerned. The most that can be said about it is that it may have been William Habron's footprint; but, even if it was so, that is no proof that he was present at the murder. As to the cartridges, all that was attempted by the prosecution was to show that William Habron had made an effort to purchase, but no proof was adduced to demonstrate that he had succeeded in doing so. Further, in regard to this point, the evidence that William Habron was at work all of the day in question in Mr. Deakin's nursery garden at least balances the evidence that he was elsewhere engaged in trying to buy cartridges to fit a pistol which was never found, although the search for the weapon was keen and thorough. Not one witness could swear definitely that he recognised William as the man, or one of a possible two men, seen hovering round immediately before the crime was committed; Simpson described him as "an elderly man from his stoop and general appearance," which does not at all fit in with the description of William Habron; Beanland saw this man after Simpson had gone off! The contradiction here, alluded to by the judge, is flagrant.

Even if the Habrons were present, there is no proof that either of them, still less which of them, fired the fatal shot.

Altogether it seems that the police jumped to conclusions first, and looked for proof second. Bent said in his evidence, "I suspected the three men from the first." Such an attitude of mind does not conduce to a thorough exploration of all sides of the case, or to an impartial weighing of the evidence; certainty not to a search for further evidence than is needed to convict the suspected persons. But Bent stated that he did not confine himself to "finding evidence against the prisoners."

The Habrons, by all accounts, were quite decent fellows, liked by all who knew them, and thoroughly trusted by their employer. John was a particularly steady workman, and saved a portion of his wages, which he sent home to his parents in County Mayo. The only thing that in any way justified suspicion against them was the intemperate language they had used against Cock. But ~~was~~ would come again if suspicion attached to every aggrieved man who expressed unkindly opinions of and vaguely threatened the police. In this connection it may be noted that after the summons against John for drunkenness had been dismissed by the magistrate, Mr. Hawarth Ashton, on the morning before the

Trial of the Habrons.

murder, Constable Cock, looking rather flustered, reported to Superintendent Bent that outside the Court the Habrons had threatened they would shoot him; which Bent pooh-poohed, saying that Cock should take no notice; that they were only letting off gas from annoyance, and that "threatened men live long." Another version is that Cock said, "John Habron has told me he will shoot me before twelve o'clock to-night," which looks uncommonly like a prophecy after the event.

A brief summary of some of the evidence as to William Habron will clear the air—

AGAINST.

I. His threats against Cock.

II. His *attempt* to buy cartridges between the hours of three and five either on Monday, 31st July, or on Tuesday, 1st August, at a shop opposite All Saints' Church, Oxford Road, Manchester, 3½ miles from Deakin's. A bus ran frequently to within almost half a mile of the church. The owner of the shop swore to William's identity. On the Monday, Deakin had sent William on a message to Redgate, on the way to Manchester.

III. Two percussion caps, such as were used for fowling pieces, were found in William's waistcoat pocket.

IV. William's boots, on the night of the murder, were found to be wet and slushy; *black* slush. Near the gate in the accommodation road to Firs Farm, apparently cindered, a footprint was found, which corresponded in many minute particulars with an impression made by Bent alongside with one of William's boots.

FOR.

I. Not denied.

II. Simpson, the shop assistant, could not swear to William, and at the Coroner's Court was doubtful as to the day, but at the trial he swore to the Tuesday. The alibi applied to the Tuesday. Anyway, no proof whatever was put in that William made any purchase.

III. Deakin had given him this waistcoat and admitted that he used sometimes to carry such caps in his pocket.

Note.—No firearm was ever found, despite the thorough search made.

IV. No cast or photograph of the footprint was taken.

Charles Peace.

V. The Habrons were arrested stark naked in bed; all appeared to be awake, and a light, a candle, had recently been extinguished.

V. Rather muddy. Was it expected that the men would be asleep after the noise of the approach of the police? Why should they not have a light? Why should they not extinguish it on hearing the approach of unexpected footsteps?

Was the man whom Simpson, when talking with Cock and Beanland, saw crossing from under the lamp and turning up Seymour Grove the same as the man whom Beanland saw later coming from Manchester? Either way, was this man William Habron?

AGAINST.

I. Simpson saw a man in a brown coat and pot hat, who stooped, and seemed to be elderly.

II. When arrested, William put on a brown coat and a pot hat. William had a slight stoop.

III. The man whom Beanland saw was fresh complexioned, about twenty-two, and 'walked quickly and uprightly. Beanland said, "I can't say who it was; I think now it was William. I cannot swear to the man."

IV. Cock said he did not know who shot him.

FOR.

I. He did not see his face.

II. Was this an uncommon mode of attire?

III. It is very strange that Beanland, a police officer, had not seen and noted the man observed by Simpson. If they both saw the same man (and at the same time) the contradictions in the description are embarrassing.

IV. He knew William well, and must have seen the man, or men, observed by Simpson and Beanland. Most likely, too, saw the man who shot him.

All points considered, was the verdict of Guilty justifiable? Surely, no. There were many in Manchester also who were dissatisfied with the result of the case. Many communications were made to Mr. Secretary Cross at the Home Office, and a numerously signed memorial praying for a reprieve for William Habron was sent in. On 19th December the following telegram was received by Captain R. A. Leggett, Governor of the County Gaol—"War-



Tomb of Police Constable Cock.

Trial of the Habrons.

rant under the hand of the Secretary of State has been forwarded by the night's post respiting the capital sentence in the case of William Habron until further signification of Her Majesty's pleasure." The news was at once communicated to Habron, who at first did not seem to realise the full significance of the message.

This, the first chapter of the intriguing story of the murder of Police Constable Cock, may fitly be rounded off by a letter from John Habron to Mr. Megson, of Manchester, who had been zealous in the matter of the memorial :—

From John Hebron.*

Cloonfad, Ballyhaunis, Co. Mayo, Ireland,
January the 8/1/77.

Dear Sir

Mr. Megson

I John Hebron one of the prisoners who was taken for the murder of police Constable Cock, am at present in Ireland with me parents, am glad to say that either me or my brother william Hebron never had anything to do with that dastardly crime. Mr. Megson, I feel and ought to be, and am very much obliged to you and all the other gentlemen who did so befriend me brother william Hebron after his sentence.

Dear Sir It's a very poor and hard case to us his brothers and parents, knowing the man innocent, for which he is, but I hope the lord will show justice some day, and whoever has done the dastardly crime, i hope will be found yet. Dear sir I am certain if not for you gentlemen who looked after him after his sentence he would have suffered wrong, for which we feel very thankful. But as you gentlemen did so well for him, I hope you will try and perhaps help to get him out of misery in time to come. I am very sorry we have lost all our hard earnings by trying to defend ourselves. It cost us about £150, so by money we can do no more.

So I must say all friends thank you, and all the other gentlemen, most kindly wishing you all a happy New Year, and a blessing with kind regards.

I am yours obd
JOHN HEBRON.

VIII.

In February, 1879, Charles Peace was confined in H.M. Prison, Leeds (Armley Gaol), under sentence of death for the murder of Mr. Dyson, and on Wednesday, the 19th, at his own urgent request he was visited by the Reverend J. H. Littlewood, vicar of Darnall.

* Seemingly the correct way to spell the name.

Charles Peace.

Here is Peace's letter of invitation—

H.M. Prison, Armley, 17th Feb., 1879.

From Charles Peace.

The Rev. Mr. Littlewood, Vicar of Darnall.

Dear Sir,—This is from that poor, miserable man, Charles Peace, now lying under sentence of death in this prison. Dear sir, I have a great desire to see you as early as possible this week if you don't think it too much trouble or think that I am so base or bad that it is not worth your while to see me. But, O sir, do come and see me at once, for I have a great message for you to bear to the people of Darnall, and I think you yourself will not repent coming to see me. You will have to bring this letter with you, and the governor will give you further instructions. Please write back and let me know per return of post.

Believe me to remain yours,

CHARLES PEACE.

Peace had friendly confidence in him and it transpired that he wished to make a confession. Part of this will be dealt with later on; here only a portion of it concerns us.

“I wanted to see you,” said Peace, “to unburden my mind to you. I know I am about to die, and I want to take from my conscience some things which weigh heavily upon it. Before I begin, do you believe that I am anxious to speak the truth, and nothing but the truth?”*

To which Mr. Littlewood answered, “I cannot conceive it possible that any human being in your fearful position could deliberately lie, and confirm these lies, knowing that your Creator and Judge is conscious of all you say, and that you will have to render an account of it all.”

The kindly parson thus displaying more piety than knowledge of criminal mentality.

“I know I shall be hanged next Tuesday,” Peace replied. “I desire to be hanged. I do not want to live out my life in penal servitude . . .” and so on, *ad nauseam*. Then—“I am exceedingly grieved and repentant for all my past life, and if I could only undo what I have done, or make amends for it in any way I would suffer my body, as I now stand, to be cut in pieces inch by inch.”

* It very much looks as if Peace's talk has been edited. Compare it with his written confession, p. 44, and his letter on p. 167.

Trial of the Habrons.

Peace suddenly, most unexpectedly, turned to the Cock murder, saying—

“ I was in Manchester in 1876. I was there to work some houses. I went to a place called Whalley Range. I had spotted a house there, which I thought I would do. I was respectably dressed, because I made a point of dressing respectably, as the police never think of suspecting any one who appears in good clothes. In this way I have thrown the police off their ground many a time. On my way to the house that night I passed two policemen on the road. There were some grounds about the house, and my object was to get into these grounds in the dusk, and wait a chance of getting to the house. I walked into the grounds through the gate, and before I was able to begin work I heard a step behind me. Looking back, I saw it was one of the policemen I had passed on the road. I doubled to elude him. For the moment, I succeeded, and, taking a favourable chance, I jumped on the wall, and as I was dropping down I all but fell into the arms of a second policeman, who must have been planted for me. This policeman—I do not know his name—made a grab at me. My blood was up, being nettled that I had been disturbed. So I told him, ‘ You stand back, or I’ll shoot you.’ He didn’t stand back, and I stepped back a few yards and fired wide at him, purposely to frighten him, that I might get away. Now, sir, I want to tell you, and I want you to believe me when I say that I always made it a rule during the whole of my career never to take life if I could avoid it. Whether you believe me or not, I never wanted to murder anybody. I only wanted to do what I could do and to get away, and it does seem odd that, after all, in the end I should have to be hanged for having taken life—the very thing I was always so anxious to avoid. I have never willingly or knowingly hurt a living creature. That is why I tell you I fired wide at him. But the policeman was as determined a man as myself, and after I had fired wide at him, and it was all the work of a few moments, sir, I observed him seize his staff, which was in his pocket, and he was rushing at me, and about to strike me. I saw I had no time to lose if I wanted to get away at all. I then fired the second time, but all I wanted to do then was to disable the man that carried the staff in order that I might get away. I had no intention of killing him. We had a scuffle together. I could not take as careful an aim as I would have done, and, the ball missing the arm, struck him in the breast, and he fell. I know no more. I got away, which was all I wanted. Some time after I saw in the papers that certain men had been taken into custody for the murder of this policeman. That interested me. I thought I should like to attend the trial, and I determined to be present. I left Hull for Manchester, not telling my family where I had gone. I attended the Manchester Assizes for two days, and heard the youngest of the brothers, as I was told they were, sentenced to death. The sentence was afterwards reduced to penal servitude

Charles Peace.

for life. Now, sir, some people will say that I was a hardened wretch for allowing an innocent man to suffer for my crime. But what man would have done otherwise in my position? Could I have done otherwise, knowing, as I did, that I should certainly be hanged for the crime? But now that I am going to forfeit my own life, and feel that I have nothing to gain by further secrecy, I think it right, in the sight of God and man, to clear this young man, who is innocent of the crime. The man was sentenced to death the day before I shot Mr. Dyson. I did not intend—I really did not intend to kill the policeman, but only to disable him, to get away myself, and I call God to witness that his life was taken by me unintentionally. I came to Sheffield the morning after the trial. . . ."

He then proceeded to deal with other matters.

Mr. Littlewood stated that he firmly believed that Peace was sincere and had told the truth.

This *viva voce* confession was followed and confirmed by a written one, which, with a plan drawn by himself, was forwarded to the Home Office. Here it is—

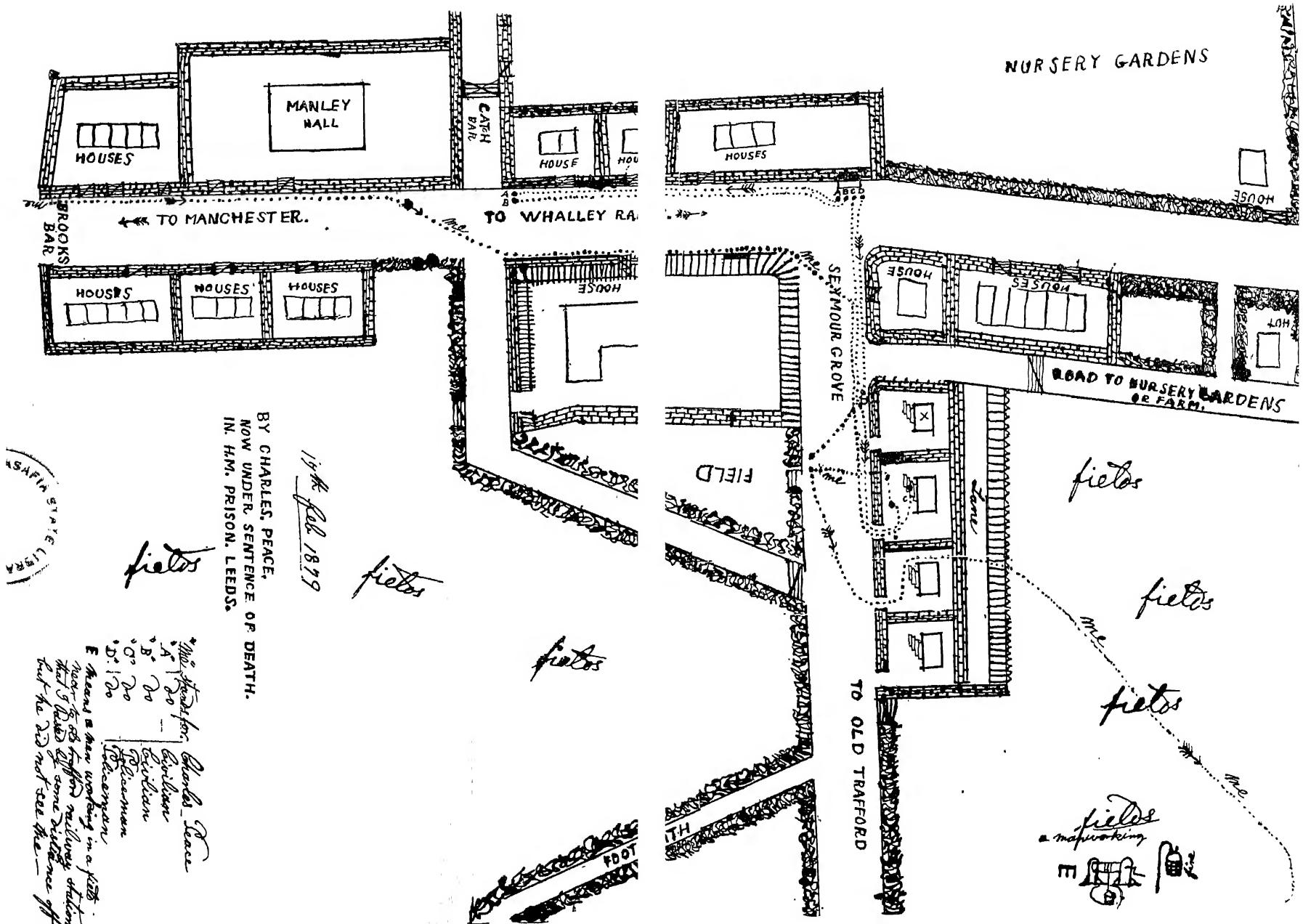
This is the confession of Charles Peace now under sentence of Death now in H.M. Prison, Leeds:

On the 27 & 28 of nov 1876 at Manchester assizes thare was tow brothers triad for the morder of Police man cox in Seymour Grove at Whalley range near Manchester ther was from seven to ten witnesses appeared against them & all of them but one perjured themselves against them to the uttermost. for I saw this trial myself & the only Person that spoke the truth was a civilian not the Lawyer's son for he did not speak the truth.

The circumstances of the case are as folows

On Tuesday night the 1st of august 1876 at aboute Midnight I was at brookes bar & and you will see by the word (me.....) on the Plan that I went from brookes bar to Seymour grove & as I turned the corner of Seymour grove I saw the Police men & two civilians stood at the " ducking-stone " ABCD I crossed the road, went up seymour grove & then into the grounds of the third house as shown on the Plan. one of the Police men followed me there & stude on the steps of the house with his bulls eye turned on & then I came over the wall into seymour grove & crossed the road to where (me) is marked & then saw a Police man crossing the road from the corner ware the letter D is marked towards me & I saw his intention & fired off one chamber of my revolver for to frighten him but he still came forward to within a yard & a half of myself I discharged another chamber & the ball of which struck him on the nipple of the right breast & then he threw up his walking stick saying—Ah! you bugger & then fell & I turned round & crossed over into the grounds of the fourth house I then made good my escape by climbing over the wall at back

* Should be " jutting."



Charles Peace's Map of the locality of the Whalley Range Murder.

Trial of the Habrons.

of the house, crossing the lane over the hoarding & across the fields as shown on plan & then went to old Trafford railway station & went through the tunnell & walked on the line for about two miles before I took the road. As I crossed the fields I saw a man working by a fire as marked 'E' on the Plan, near the railway, but who did not see me.

As I was in the act of making my escape over the wall of the fourth house I heard a dog barking.

The two brothers who were charged with this Murder were named Frank & Aaron Harman. Frank was acquitted & Aaron was sentenced to death but recommended to mercy on account of his youth. & after wards repreved by the Secteary off State down to Life.

as a prooff of his in inosence, you will find that the ball that was taken out of coxs brest is one of Heleys No. 9 pinfire cartridge & was fired out of my revolver now at the leeds town Hall & if you take the ball out of one of Heleys No. 9 pinfire cartridge it & the one taken out of coxs body both will weight alike & allso bouth of them to fit into the one cartridge case. what I have said is nothing but the truth & this man is inosenc. I have done my duty & leve the rest to you.

IX.

The plan drawn by Peace should be compared carefully with the other plan reproduced. Allowing for his being drawn from memory, there is still much to desire in the direction of accuracy.

Was Peace's confession true?

Peace certainly knew Manchester, at any rate the districts where there were "likely" houses, and the plan alone is, therefore, no proof that he was the murderer of Cock.

Then, he was almost certainly in Manchester in April, 1876, when three houses in Broughton Park were burgled. From one house the thief took an English concertina. After Peace was arrested at Blackheath, his house was searched, and among the loot there found was this concertina.

And it has been asserted, probably with truth, that Peace was commonly credited with the murder of Cock by criminals in Manchester with whom he associated, which could scarcely be the case unless it was known that he was in Manchester on 1st August, 1876.

Looking closely into the details given in the two confessions—

(a) To Mr. Littlewood Peace stated that he was desirous of getting into the grounds of the house he intended to burgle "in the dusk." How was it, then, that he did not arrive till midnight—"aboute Midnight"?

(b) Peace's dates are correct; the second day of the Habron trial was Tuesday, 28th November, and he shot Mr.

Charles Peace.

Dyson at Banner Cross, Leeds, on Wednesday, 29th November.

- (c) Peace states that he went into the grounds of the *third* house in Seymour Grove, where he was disturbed by a constable, who must have been Beanland, who swore that it was into the grounds of the *first* house—that of Mr. Gratrix—that he went, and from which he saw the flashes of the shooting.
- (d) Cock was not carrying a stick or a staff.
- (e) It was positively proved, out of Court, that the dog in the fourth house, through the grounds of which Peace asserted he made his escape, did *not* bark that night.
- (f) A man, or men, were at work in the fields behind the houses in Seymour Grove on the night in question.
- (g) Judging from the position in which Cock's body was found as compared with Peace's account, either Peace came over the wall of Mr. Gratrix's house or he fired at Cock from some distance—that is, he could have got away from Cock without firing at all. Peace is all at sea here.
- (h) Peace's having committed the crime would account for the Habrons' pistol not having been found.
- (i) The bullet. Mr. James Woodward, a witness in the Banner Cross Murder Trial (see page 151), was shown the bullet which caused Cock's death, and at once declared that it was exactly the same as the bullets which were fired from Peace's revolver. The marks of the rifling seemed to correspond accurately with those upon the bullets fired by Mr. Woodward out of Peace's revolver, and, considering that they were cast bullets, the weights agreed very closely—that of the Dyson bullet being 185 grs., of the Robinson bullet 188 grs., of the Cock bullet 192 grs. The Cock bullet would fit the empty cartridge case taken out of Peace's revolver in the Robinson case, which was a pin-fire Eley 12, and would not fit an Eley 9. (Peace in his written confession said he used an Eley 9!). Professor Richard Owen,* whose opinion

*Sir Richard Owen (1804-1892), the famous naturalist. It is curious to run across him in such a connection.

Trial of the Habrons.

was asked, judged that the ball fired by Mr. Woodward from Peace's revolver and that found in Cock's body were both fired through a revolver of the pattern used by Peace.

The confession and the plan were sent to the Chief Constable of the Lancashire Constabulary, Captain the Honourable C. G. Legge, who sent his deputy to Manchester to go thoroughly into the matter. Together with Superintendent Bent and Mr. H. T. Crofton, solicitor to the Manchester Division of the Lancashire Constabulary, he visited the scene of the murder. "When we arrived there," Mr. Crofton writes to me, "the deputy chief constable produced the confession and plan, and let Superintendent Bent and myself read it. Then we drove up and down, examining the locality, and explaining to the deputy chief constable what we knew. I had been in charge of the prosecution of the Habrons, and the conclusion I came to was that, though it was quite probable that Peace had studied the houses there for burglary purposes (there were few cribs he had not thought of cracking round Manchester), he had not escaped as he said he had done by going down Seymour Grove. . . . If he had taken that line he must have run into the arms of a supernumerary constable in plain clothes, who was on his way to meet, at West Point, the murdered constable, who had come from Chorlton-cum-Hardy, and had reached the end of his beat there."

At first the authorities had grave doubts as to the reliability of Peace's confession, but, as the result of a careful scrutiny of the evidence and documents in the case, the Home Secretary was advised that there were strong grounds for believing that William Habron was innocent of the crime of which he had been convicted. He received a free pardon and an indemnity of £800.

X.

Now back to Sheffield, to Darnall, where, as already recorded, Charles Peace and family had taken up their residence in 1875, next door but one to Mr. and Mrs. Arthur Dyson and their young son.

Dyson was a civil engineer, who had worked in America, in the employ of the Atlantic and Great Western Railway. While there he married, in 1866, and some time in 1873 or 1874 he returned to England, securing a post with the North-Eastern Rail-

Charles Peace.

way Company. He was a very tall, thin man, of "genteel" appearance, of not too robust health. So tall, indeed, was he that at York a special desk had to be constructed for him in the surveyor's office, so that he might work in comfort. It is stated that he was a member of an old Sheffield family, which matters not. He was about forty-eight.

As for Katherine, his wife, it will serve to tell her story in her own words, taken from an interview she gave to the *Sheffield Independent* (in 1879), being desirous "of contradicting in the most emphatic terms the imputations which have been freely cast upon her character and her morality." Thus—

"Of course, I am Irish. My brogue is sufficient to tell you that. I used to talk very much like an American, but since returning to this country I have lost the American twang, and have somehow or other recovered the rich brogue of the old country. I was born in Ireland, at Maynooth. There I remained till I was fifteen years old. Then, having just left school, I started off by myself to see my sister, who had previously gone to America. She was living at Cleveland, Ohio. . . . Then it was a much smaller place than now. . . . It was there I first met my husband. He was a civil engineer, in the service of Sir Morton Peto,* and was at that time one of the engineers on the Atlantic and Great Western. . . . Then we went to Darnall, and it was there that my troubles began."

Further on, this—

"You will naturally ask how I became acquainted with Peace. It was impossible to avoid becoming acquainted with him. Besides, at that time I did not know the sort of man he really was. He lived the next door but one to us at Darnall, and he used generally to speak to Mr. Dyson on going in and out. Mr. Dyson was a gentleman, and, of course, when Peace spoke to him he used to reply. But Peace wasn't content with a merely speaking acquaintance. He wanted to force himself upon us. . . . One of his favourite means was to place his parrots and his other birds upon a wall. He could then call our attention to them, and to what they could do, and thus get us into conversation with him. . . . At first Mr. Dyson did not object, and Peace became a constant visitor to the house. Our impression of him was that he was a really nice old man. . . . He was plausibility itself. . . . I am certain that much which he has succeeded in doing, both before and after the murder, is the result of the power which he has been able to exercise by his tongue and

* Sir Samuel Morton Peto, the well-known contractor, who helped to raise the Nelson Column in 1843 and to construct the Balaclava Railway during the Crimean War.

Charles Peace.

manner. . . . To us he appeared to be simply a picture framer in anything but good circumstances, for he had but little business to do, and his wife used to go out every morning washing bottles. We considered they were poor. . . . Mr. Dyson soon began to tire of him. My husband had travelled, and could converse well on many subjects. Peace was plausible enough, but his language was not good; in fact, he very soon began to show that he was anything but a gentleman. Mr. Dyson could not stand that, and Peace showed him some obscene pictures, and my husband said he didn't like a man of that kind, and wouldn't have anything more to do with him. Besides, another thing greatly repelled Mr. Dyson. It was this. Peace wanted to take him to Sheffield to show him what he called 'the sights of the town.' Mr. Dyson knew what that meant, and being, as I have said, a gentleman, he became much disgusted at Peace. . . . But we couldn't get rid of him. We were bound to show him common politeness. . . . He would, for instance, drop in just when we were sitting down to tea, and we were compelled almost to ask him to have a cup. His constant visits to the house at last became intolerable to us. . . . When he found that he could no longer gain access to the house, Peace became awfully impudent. He would, for instance, stand on the doorstep and listen through the keyhole to what we were talking about, or look through the window at us. . . . Mr. Dyson did not take a stronger disgust to Peace than I did. In fact, I was the first to express my disgust. I could not stand his impudence and the way in which he went on. I had not been used to such society as his proved to be, and I rebelled against it. I can hardly describe all that he did to annoy us after he was informed that he was not wanted at our house. He would come and stand outside the window at night and look in, leering all the while; and he would come across you at all turns and leer in your face in a manner that was very frightful. . . . His object was to obtain power over me, and, having done that, to make me an accomplice of his. I have told you that when I knew him first I thought him to be a picture framer, and nothing more. Since then, however, I have learnt a good deal, and much that was difficult to understand has been made plain. He wanted me to leave my husband! Positively to leave my husband. 'What should I do that for?' I said. 'If you will only go to Manchester,' he answered, 'I will take a store (American for shop) for you, and will spend £50 in fitting it up. You shall have a cigar store, or a picture store. You are a fine-looking woman. You will look well in fine things, and I will send you fine clothes and jewellery, and if you wanted to pawn them it would be easy. . . .' He also said, 'If you will only do what I want there shall not be such another lady in England as you may be.' . . . I remember on one occasion he offered me a sealskin jacket and several yards of silk. . . . I declined his present, and told him that if he had a

Charles Peace.

sealskin jacket and some silk to spare he had better make a present of them to his wife and daughter. . . . I remember that, when he was speaking to me about Manchester, he said, ' If you will only go I'll fix you up there nice. You will have a splendid business, and will live like a lady.' ' Thank you,' I said, ' I have always lived like one, and shall continue to do so quite independently of you.' . . . He had a way of creeping and crawling about, and of coming upon you suddenly unawares; and I cannot describe to you how he seemed to wriggle himself inside the door, or the terrible expression on his face. He seemed more like an evil spirit than a man. . . . I used to be especially afraid of him at nights, because he had a habit of continually prowling about the house and of turning up suddenly. He would, too, assume all sorts of disguises. He used to boast how effectually he could disguise himself. . . . He once said, ' I am never beaten when I have made up my mind. If I make up my mind to a thing I am bound to have it, even if it cost me my life.' . . . "

This long quotation from an extraordinary document seems to shed light upon the character of Mrs. Dyson, who played an important part in the life of Charles Peace, and without whose assistance it is doubtful if he would have come to the gallows. It will help to the understanding of her evidence at the inquest upon her husband (see Appendix, p. 177) and at the trial of Peace.

She was "buxom and blooming," somewhere about twenty-five years of age. Of her person we read—"Though, perhaps, not what might be termed a handsome woman, she is an exceedingly fine-looking woman—tall, well built, and robust." In the same account* we are informed that "last spring they" (Mr. and Mrs. Dyson) "lived at Alexandra Road, Healey, and perhaps it is no secret to say that on one or two occasions the police were asked to mediate between husband and wife and reconcile their differences. Mr. Dyson has practised the art of throwing at his wife, and she in turn has wielded the poker at times, with very marked effect. As a rule, however, they appear to have lived tolerably happy together."

Undoubtedly Peace was enamoured of Mrs. Dyson; what were her real sentiments towards him, and whether or not there was an intrigue between them, must be judged from the evidence she gave at the inquest and at the trial, and from the statements made by Peace. Two assertions of his in regard to her may be noted here: he declared that she had more than once told him that she was not married to Dyson, and he asserted over and over again that she was his mistress. It does not affect the case against Peace

* *Sheffield Independent*, 30th November, 1876.

Charles Peace.

whether his or her statements in this respect were true, but it would greatly influence our view of her trustworthiness as a witness.

It will be better to withhold for a while full details of the deed which brought this famous and infamous burglar to the scaffold; here a mere outline of the events will be sufficient to forward us on our story.

On 1st July, 1876, Peace meeting Dyson in the street, grossly insulted him. In the evening of the same day he threatened Mrs. Dyson in the presence of several persons. As a result of this conduct, Dyson took out a peace summons against Peace, and a warrant was issued for his apprehension. It is stated that when instructing his solicitors to take out this summons, Dyson said that he knew that Peace had a number of letters, which he had shown about, stating that they were from Mrs. Dyson, and in her handwriting. He, Dyson, had seen them, and declared them to be "most impudent forgeries." He wished them to be read in Court when the summons was heard!

Very naturally, Peace did not approve of these proceedings, and, having no desire to be hauled up, he and his family left Darnall for Hull in July, where he opened an eating-house in Collier Street, which was presided over by his wife and daughter, he himself being lucrative if spasmodically engaged in quite other pursuits.* But before he made tracks for security Peace told his son-in-law, Bolsover, in Darnall, to keep a watch upon the Dysons, and to advise him of their doings and movements. Bolsover, on 25th October, 1876, noted that there was a furniture van in front of the Dysons' house. He did not witness the departure, but was able to find out the direction taken; tracked the vehicle through Sheffield and along the Ecclesall Road (see Map); on his way, to his amazement, he met with Peace, who, he thought, was in Hull. Joining forces, they followed the van to its destination at Banner Cross Terrace. Peace did not hesitate to explore the Dysons' new dwelling-place, then made a purchase in a neighbouring shop. After a brief colloquy with Mrs. Dyson† and the fortunate avoidance of a meeting with Dyson, Peace went back into Sheffield, thence returning to Hull.

Not much is known of Peace's attitude and sentiments toward Mrs. Peace, his stepson, and his daughter, but they were not over-kindly. On one occasion, in the Collier Street house, his daughter

* Peace's Hull home was blown to pieces during a German air raid.

† For details as to this and of Peace's doings and sayings until after the murder on 29th November, see the Trial (p. 111) and report of the inquest (Appendix B, p. 177).

Charles Peace.

made a remark about Mrs. Dyson which her father greatly resented. He made to hit her, but her mother intervened, with the result that he struck her cruelly, sadly disfiguring her face. He then cleared them all out of the house, and himself went off.

We already know that, according to his own statement, Peace was in Manchester on 1st August, and again there on 28th November, returning on the 29th from hearing an innocent man condemned to death for a crime which, as he says, he had himself committed—to Sheffield to perpetrate a murder which in due time brought him to the halter.

That evening Dyson was shot, in the presence of his wife, by Peace, in the passage beside the Dysons' house, in Banner Cross Terrace, shortly after eight o'clock. Naturally, he did not loiter to see the result of his handiwork, but ran across the road, climbed a wall, and so escaped. It is almost incredible, but it is true, that for many months he eluded all pursuit. The methods adopted by the police do not seem to have been very expert, indeed were very haphazard and by no means sufficiently persistent.

In December the police issued this bill—

MURDER.

One Hundred Pounds Reward.

WHEREAS on the 29th ult. **Mr. Albert Dyson, C.E.,** was murdered at Banner Cross, Sheffield, having been shot in the head in the presence of his wife by **Charles Peace**, who escaped in the darkness of the night, and is still at large, and **WHEREAS** at the coroner's inquest, held on the 5th inst. upon the body of the said Albert Dyson, a verdict of wilful murder was found against the said **Charles Peace**, **NOTICE** is hereby given that a reward of one hundred pounds will be paid by **Her Majesty's Government** to any person other than a person employed in a police office in the United Kingdom who shall give such information and evidence as will lead to the discovery and conviction of the said **Charles Peace**.

An account of the inquest forms Appendix B, p. 177.



No. 5 East Terrace, Peckham.

(Peace's Home in 1877.)

Charles Peace.

XI.

It would be interesting, but not conducive to the purpose of this volume, to follow Charles Peace's career in detail, step by step, from one astonishing deed of dare-deviltry to another. The pen of a writer of fiction would splutter over producing as a work of imagination such a series of strange adventures.

We will pass on to the year 1877, when Peace, under the name of Thompson, was living at No. 5 East Terrace, Evelina Road, Peckham, London, S.E. A quite ordinary suburban villa, but by no means a quite usual suburban establishment. At the head of it Mr. Thompson, a most respectable person, a regular attendant on Sunday evening at the Parish Church, employed with a Mr. Brion, a neighbour, in contriving an invention "for raising sunken vessels by the displacement of water within the vessels by air and gases"; entertaining friends at musical parties; proud of his collection of violins, banjos, and other musical instruments; kindly busy with his dogs, cats, rabbits, canaries, parrots, and cockatoos; curious as to why a Christian nation should support the very un-Christian Turks against the Christian Russians; early to bed—but not to sleep, for he "worked" by night, most successfully.

But not so happy a household as it appeared to be! There were Mrs. Peace, who went by the name of Mrs. Ward, and Willie, her son, to whom the basement was allotted. The better rooms were occupied by Peace—"Mr. Thompson," that is—and Mrs. Thompson, alias Susan Grey, whom he had picked up during a brief residence at Nottingham in 1877; a pretty woman—the widow, so it was said, of a certain Mr. Bailey; twenty-four, or was it thirty-five?—of fair complexion, with an abundance of fair hair, and with light brown eyes; altogether a quite prepossessing person, but said to be a bit too fond of strong drink.

Peace remarked later on of Mrs. Thompson—" You know, she is a dreadful woman for drink and snuff; she snuffs half an ounce a day; and as for drink, I have paid as much as £3 in two days for her. She talked at one time about putting herself in an asylum for drunkards, and I think it is the only way she can be cured. If I saw her again I should advise her to go there, and try to be a good woman."

Peace had shaved his white beard, dyed his hair, stained his face with walnut juice, wore spectacles—had transformed himself

Charles Peace.

beyond much chance of recognition by over-curious members of the police force or by inquisitive acquaintances from Sheffield. A thin, wiry, benevolent-looking old buffer.

Between November, 1876, and 9th October of this year, 1878, Peace had been practising his profession of burglar with enormous, and to the police disconcerting, success, the major part of his business being conducted in the southern portions and suburbs of London. All this while being wanted by the police for the Banner Cross murder!

According to a statement made by Mrs. Thompson, Peace in a moment of temper had said to her, "They would give £100 for me at Darnall."

In the evening of 9th October Mr. and Mrs. Thompson entertained themselves with a musical evening, he adding to the charm of the proceedings by playing on the violin, accompanied on the piano by one of the ladies of his harem, while the other indulged them with a song. Doubtless in the drawing-room: gorgeously furnished—a costly suite of walnut furniture, rich Turkey carpet, many mirrors, a bijou piano, a Spanish guitar, said to have been looted from a countess. Peace maybe in his comfortable beaded slippers.

Then early to bed; only to rise *very* early; then to work.

With the following result, as recorded in the *Kentish Mercury* of 12th October, 1878, a bald but quite convincing narrative:—

"A man refusing name and address, age about 50, of negro type, with face bandaged, was charged before Mr. Slade at Greenwich Police Court on Thursday, 10th October, with burglary and shooting a police constable with a revolver. P.C. 284 R. Gurling said: about 2 a.m. that morning he was on duty at St. John's Park, Blackheath, when his attention was called by P.C. 202 Edward Robinson,* to a light at the back of No. 2 St. John's Park, the residence of Mr. J. A. Burness. P.S. 32 R.

* In a volume edited by Walter Wood, "Survivors' Tales of Famous Crimes" (Cassell, 1916), there is an account of the capture of Charles Peace by Alfred Tate, ex-sergeant in the Metropolitan Police. He states that he was stationed at Blackheath in 1878, and was on duty during the night of 9th-10th November; that Robinson was armed with a revolver, and—in short—his whole story differs *in toto* from that told at Greenwich Police Court and at the Old Bailey, Tate claiming to be the real hero. Among other items is that the burglar volunteered that his name was Peace! Blessed are the uses of imagination!

Charles Peace.

Brown then arrived and directed the two P.C.'s to stay at the rear, whilst he went to the front. Shortly afterwards the prisoner came out of the house and down the garden. And P.C. Robinson went towards him, when he fired two shots (both missed) and shouted 'Keep back, keep back, or, by God, I'll shoot you.' The P.C. closed with him, when he fired three more shots, the first passing on the left side of his head, the second over his head, and the third entered his right arm. The other constable came to his assistance, also P.S. Brown, and they overpowered him and took him into custody. After the evidence of the other witnesses, prisoner was remanded."

"On 18th October, 1878, prisoner appeared on remand, when he gave his name as John Ward, aged 60. Mr. Beard* appeared for prisoner. Inspector Phillips of Greenwich said that when prisoner was searched a pocket knife, bearing the name engraved Mr. Moss Isaacs, Herne Hill, Dulwich, shipbuilder, whose house was burglariously entered on 11th December, 1877, was found upon him. He was then further remanded till 26th October, 1878.

"Further remanded for 1 week; then committed for trial at C.C. Court, commencing 18th November, 1878."

John Ward, whose age was not sixty, but forty-six, was Mr. Thompson, of Peckham. Needless to say, the kindly old gentleman was missed; neighbours conjectured that he had gone away to some pleasure resort; not till he was identified as John Ward did the saddening truth leak out. On 2nd November Peace wrote to Mr. Brion, signing himself "J. Ward," appealing to him to come to Newgate to visit an unfortunate wretch who had gotten himself into trouble through over-indulgence in drink and who was despised by "his own family." Mr. Brion went and found himself face to face with his colleague, Mr. Thompson! Naturally the police put themselves into contact with Mr. Brion, who told them all he knew. Mrs. "John Ward" and "Mrs Thompson" fled. The pretty villa was shut up. The happy family scattered.

* Peace's solicitors were Messrs. Beard & Sons, 10 Basinghall Street.

Charles Peace.

Peace was tried and found guilty at the Central Criminal Court on 18th November. Here follows an abbreviated account:—

THE TRIAL WITHIN THE CENTRAL CRIMINAL COURT, OLD BAILEY, LONDON, 19TH NOVEMBER, 1878.

Judge—MR. JUSTICE HAWKINS.

JOHN WARD, *alias* CHARLES PEACE (60), feloniously shooting at Edward Robinson with intent to murder. Other Counts with intent to do grievous bodily harm and to resist his lawful apprehension.

Counsel for the Crown—Mr. POLAND¹ and Mr. DOUGLAS STRAIGHT.² (Instructed by the Treasury.)

Counsel for the Prisoner—Mr. MONTAGU WILLIAMS³ and Mr. WILLIAM AUSTIN METCALFE. (Instructed by Mr. Beard.)

EDWARD ROBINSON, policeman, R 202—On Thursday morning, 10th November, about two o'clock, I was on duty in the avenue leading from St. John's Park to Blackheath—that is, at the rear of No. 2 St. John's Park, the house of Mr. Burness. In passing that house I noticed the flickering of a light in the drawing-room, at the back of the house; I watched it for some little time, and then went in search of another constable. I found Girling; he accompanied me back, and we both made observation of the drawing-room. We noticed the light move from the drawing-room into several other parts of the house. I was then assisted by Girling on to the garden wall. Sergeant Brown then came up, and he helped Girling on to the wall, and went round to the front of the house and rang the bell. Immediately upon that the light I had noticed was extinguished, and the prisoner came out from the drawing-room window, which opens on to the lawn of the garden. Girling then jumped off the wall into the avenue, and I jumped into the garden. I was in uniform. In my jumping down I broke some glass, which made a noise. I then saw the prisoner run towards the bottom of the garden; I immediately followed him. As I was following him he turned round and

¹ Sir Harry (Bodkin) Poland, K.C., J.P., D.L.; for many years one of the Counsel to the Treasury and Home Office; Recorder of Dover, 1874-1901.

² Afterward Sir Douglas Straight (b. 1844; d. 1914); M.P. for Shrewsbury, 1870-74; Judge, High Court of Judicature, at Allahabad, 1879-92, &c.

³ Montagu Stephen Williams (b. 1835; d. 1892); Metropolitan Stipendiary Magistrate, 1886; Q.C., 1888.



No. 2 St. John's Park, Blackheath.

(Where Peace was arrested in 1878. On the right is the Dining-room ; the lights were noticed in the two bay windows.)

The First Trial.

Edward Robinson

pointed a revolver at my head. I was then about 6 yards from him. It was a moonlight night. I could see the revolver. He said, "Keep back, keep off, or, by God, I will shoot you." I said, "You had better not." He immediately fired three chambers of the revolver at my head, two of the shots passing to the left of my head and the third over my head; I heard the shots whistling past my head. I then made a rush at him, and he fired a fourth shot at me, passing to the right of my head. He aimed at me. I then closed with him, and struck him in the face with my left hand, and with my right I guarded my head. The prisoner then said, "You bugger, I will settle you this time," and immediately fired a fifth shot, which I received through the right arm above the elbow. I closed with him again, and threw him down. Whilst we were on the ground he said, "You bugger, I will give you something else," and he moved his left hand towards his pocket. I then doubled his right arm up, got hold of the revolver, and struck him on the head with it—the revolver was strapped round his wrist. I doubled his arm up with the revolver in his hand, and struck him several blows on the head with the revolver and with his own fist too. I turned him over face downwards, and held him with my knee and left hand till Sergeant Brown came. He stood by until Girling came up. I then began to feel weak from loss of blood. I handed the prisoner over to Girling. I had this greatcoat on (produced)—there is the mark where the shot went through; one shot made the two holes.

Cross-examined—I was 6 yards from him when he turned; I got closer to him; I ran towards him; before he fired the first shot I was about 2 yards off him; I had not my truncheon drawn at the time. He fired the three shots in succession, when I was within 2 yards of him, threatening me in the same way that he did afterwards. When he hit me, the shots went close to me. After the three shots had been fired I made a dash at him and struck him. I struck him very hard. The fourth shot came almost immediately after that. The subsequent wound was in the arm with which I guarded my head; I had it up in that position when the fifth shot was fired. I did not move my arm before the last shot was fired; I kept it in that position; at the same time he struck me in the face and fired at me. I did not hear the prisoner say after the struggle, "I only did it to frighten him."

Re-examined—I believed that there was a burglary committed in Mr. Burness's house.

CHARLES BROWN, police sergeant, R 32—On this morning I was with Robinson and Girling at the back of No. 2 St. John's Park. I told them to guard the rear. I went round to the front, and knocked and rang several times. Shortly afterwards I heard some shots fired; they appeared to come from the back of the house.

Charles Peace.

Charles Brown

I also heard a cry for assistance. I immediately ran round to the back of the house, got over the wall, and there found that Robinson had been shot. He was lying above the prisoner, who had this six-chamber revolver in his hand; his elbow was resting on the walk, and the revolver was pointing at me as I came up—it was strapped round his right wrist. I at once went to Robinson's assistance. After striking the prisoner on the hand with my truncheon, I got the revolver from him. I struck him on the right arm because I could not get the revolver out of his hand. I held him till Girling came. He was then secured. I searched the place to see if there was any other man. I found no one else. I found on the prisoner a silver pocket flask, a banker's cheque-book, and a letter-case, which have been identified by Mr. Burness. I also found this small crowbar* in his left-hand trousers pocket. I went into the house and found the dining-room window open, and on the table some of the plate, a crumb scoop, a sugar basin and spoon, and a decanter stand ready for removal. It was not packed; he had been disturbed, apparently. I took a gold ring from his hand at the station; that has not been identified.

Cross-examined—I could not state how many shots were fired; I could hear several. Six cartridges were drawn from the revolver at the station; the six chambers were all empty; every chamber had been discharged. Robinson was lying atop of the prisoner when I saw him first; no shots were discharged after that; how many had been previously discharged I don't know. I did not hear the prisoner say, "I only meant to frighten him." I was there before Girling.

Re-examined—All the chambers had been recently discharged. I examined them at the station.

WILLIAM GIRLING, policeman, R 284—I was with Robinson on the top of the wall. I saw the prisoner come from the drawing-room window on to the lawn. I jumped from the wall into the avenue, and ran down to the bottom. I heard the revolver fired five times within a minute. I ran back and got over the wall into the garden, and found Robinson struggling with the prisoner. The prisoner was on his face, and Robinson was on the top of him. He said, "I am shot through the arm, Girling." I got hold of the prisoner and said, "I have got him all right; you had better go to the station and have your arm dressed." The prisoner said, "I only did it to frighten him, so as I could get away." I searched the prisoner in the garden, and took from him several housebreaking implements, which are produced—an auger, a centre-bit, a little hand vice, two knives, a gimlet, three screws, and several other things. I found them in his pockets behind; they were handed to the inspector. After I had taken hold of the

* Jemmy.

The First Trial.

William Girling

prisoner he attempted to get away, and I hit him with my staff. He was then taken to the station.

Cross-examined—All he said was, “ I did it to frighten him, so as to get away.”

JOHN BONY, police inspector, R—After the prisoner was taken into custody I went and examined the premises. I found marks of the jemmy at the back dining-room window; it appeared as if it had been forced; the catch had been sprung and the window forced up. There was a hole in the dining-room door, about 5 inches square, large enough for a man’s hand to be put through and undo it on the other side. In the library a desk had been forced and some drawers of a chiffonier. I entered the charge against the prisoner at the station; it was for burglariously breaking and entering the dwelling-house of 2 St. John’s Park, Blackheath, and shooting Constable Robinson with a revolver, with intent to murder him. He made no answer to the charge. I asked his name and address. He replied, “ Find out.” I received a bullet from Mr. Burness the following day.

SARAH SELINA COOPER—I am a servant at No. 2 St. John’s Park. On the night of 9th November, when I went to bed at ten o’clock, the house was all safe; the doors and windows were all fastened. I was aroused in the morning. When I was cleaning out the dining-room I found a bullet on the hearthrug, and there was a hole in the centre of the window about the same size as the bullet. I gave it to the housemaid.

EDWARD ROBINSON, re-examined—I should say I was about 15 or 16 yards from the dining-room window when the shots were fired; the bullet went right through my arm; it came out about 2 inches beyond the place where it entered.

After consulting in the box for four minutes, the jury brought in the verdict of guilty on the first count.

During the hearing of the case Peace adopted a very respectful and penitent mein. He was a capital actor. But when he heard the verdict he, says Montagu Williams, “ completely broke down, and his bearing upon the occasion . . . was far from suggestive of the man of courage he most certainly was.” When asked by the judge if he had anything to say why sentence should not be passed, “ in a whining tone, with tears in his eyes, and almost grovelling on the floor,” he made this amazing appeal—

“ Yes; I have this to say, my lord—I have not been fairly dealt with, and I declare before God that I had never any intention to kill. All I meant to do was to frighten him, so as I might get away. If I’d wanted to kill him I could easily have done it, but I never did. I say I didn’t fire five shots—I only fired four; and

Charles Peace.

I think I can show you, my lord, how I can prove only four shots were fired. If your lordship will look at the pistol you'll see it goes off very easily; the sixth barrel went off of its own after I was taken. When the fifth shot went off the policeman had a hold on me, and it went off by accident. I really didn't know the pistol was loaded. I hope, my lord, you will have mercy upon me. I know that I am base and bad. I feel that I am that base and bad that I am neither fit to live nor die. For I have disgraced myself. I have disgraced my friends, and I am not fit to live among mankind. I am not fit to meet my God,* for I am not prepared to do so. So, oh, my lord, I know I am base and bad to the uttermost, but I know, at the same time, they have painted my case blacker than what it really is. I hope you will take all this into consideration, and not pass upon me a sentence of imprisonment which will be the means of causing me to die in prison, where it is very possible I shall not have a chance amongst my associates to prepare myself to meet my God that I hope I shall meet. So, my lord, do have mercy upon me. I beseech you, give me a chance, my lord, to regain my freedom, and you shall not, with the help of my God, have any cause to repent passing a merciful sentence upon me. Oh, my lord, you yourself do expect mercy from the hands of your great and merciful God. Oh, my lord, do have mercy upon me, a most wretched, miserable man—a man that am not fit to die. I am not fit to live; but with the help of my God I will try to become a good man. I will try to become a man that will be able in the last day to meet my God, my Great Judge, to meet him and to receive the great reward at His hands for my true repentance. So, oh, my lord, have mercy upon me, I pray and beseech you. I will say no more; but, oh, my lord, have mercy upon me; my lord, have mercy upon me."

Montagu Williams says—"This harangue seemed to have an effect upon everybody in Court except the man to whom it was addressed. It was a great treat to watch the face of Mr. Justice Hawkins during the speech."

Mr. JUSTICE HAWKINS, addressing the prisoner, said—"John Ward, the jury have found you guilty, upon the most irresistible evidence, of having fired this pistol five times at the constable with intent to murder him, and I must say that I entirely concur in that verdict. I do not believe that any other would, upon con-

* On other occasions Peace professed to be anxious on this point. The Reverend J. W. Horsley, the last chaplain of Her Majesty's Prison at Clerkenwell, who had some acquaintance with Peace at this time, bluntly said that he was "a proper old humbug until his guilt could no longer be denied," adding rather unkindly that "in appearance he resembled a half-caste crossing-sweeper."

The First Trial.

sideration, have been satisfactory to themselves. You were detected in the act of committing a burglary, and, putting altogether aside what may have been your conduct on other occasions, the circumstances of this particular case are quite sufficient to prove to my mind that you are an accomplished burglar, and that you went to this house, determined to rob, by fair means if you could, but armed in a manner that shows you were also determined to resort to foul means if necessary to escape detection. You have asserted that you only fired the pistol at the constable in order to frighten him, that thus you might be enabled to make your escape. I do not believe you. A man who has a deadly instrument of this description strapped to his arm does not make use of it in the manner you did without a deadly intention; it is beyond belief that he can have any other; and the prosecutor, and you, also, have to thank God the constable's life was spared. In the discharge of his duty, and, in the bravest manner, he advanced to close with you, and while he was near to you, four shots were deliberately fired at him, and, if any one thing was wanting to show your murderous intention it was supplied by the expression made use of by you before you fired the fifth shot, 'I will settle you this time.' This shot was fired at his head, and, but that he was guarding his head at the time with his arm, he would have received the shot upon it, and, if that had been the case, death would most likely have been the result, and you at this moment would probably be receiving sentence of death. I do not consider it at all necessary to make any inquiry into your antecedents; the facts before me are quite sufficient to show that you are an accomplished burglar, and a man who would not hesitate to commit murder in carrying out that object. Notwithstanding your age,* therefore, I feel that I should fail in my duty to the public if I did not pass upon you the extreme sentence of the law for the offence of which you have been convicted, which is that you be kept in penal servitude for the rest of your natural life."

The jury expressed their admiration of the courageous manner in which Robinson had discharged his duty, and trusted that his conduct would be recognised and rewarded. The Court concurred in the recommendation of the jury, and ordered a reward of £25 to be paid to Robinson.

Peace was then removed to "gloomy Pentonville" to commence the serving of his sentence. But, it having been discovered that "Mr. Thompson," alias "John Ward," was in truth the long-sought-for Charles Peace, steps were being taken to bring him to trial on the charge of the murder of Arthur Dyson.

Meanwhile the unfortunate Mrs. Peace had been arrested in

* Of course Peace was not sixty years old!

Charles Peace.

Sheffield, was brought back to London, and tried at the Central Criminal Court on 14th January, 1879 (see Appendix C, p. 192).

XII.

After her bereavement Mrs. Dyson had returned to her relations in America. Without her evidence the case against Peace would have been very weak. She was sent for, and expressed her readiness to come. In the *Sheffield Daily Telegraph* of 7th January, 1879, the following Central News telegram was printed—"Queens-town: Among the saloon passengers who arrived yesterday in the White Star steamer, 'Britannic,' from New York, are Mrs. Dyson, the wife of Mr. Arthur Dyson, who, as alleged, was shot by the notorious burglar Peace, and T. Walsh, the Sheffield Police Officer."

Peace must now have realised that he was in serious trouble, and can have had small, if any, hope that he would escape the scaffold.

The following letter from him to the Home Secretary is typical of his literary efforts, but it may be that, when he was in a tight corner and desired to appeal to any soft spot there might be in the hearts of his persecutors, he made himself out to be more helplessly illiterate than he really was:—

newgate Prison
Nov 25th 1878

To the Right Honerbul
Secretary off State

Sir this is from John Ward a prisoner under the sentence of Life inprisonment. & as thear is a nougter charge against me on serphison* of been the Morderer of Mr. Dyson of Sheffield. but knowing myself not to be guilty & also nowing that I can Prove myself not to be guilty of the crime if I have Justest don to me so that

Sir I hope & truest that you will be so kind in Justest & Mercy to me. & hear all that I shall say to you. for I only ask for Justest so do have Pity on me & and grant me that, Sir. Sir, I shall tel you. in the first place that the woman that called herself Mrs. Dyson & as now heptstonded to amarcketer was not his wife but a woman that he brote from amarcketer with him & and not his wife. & her and me was cohabiting to gather & I have got a grates number of noates in her hand writing & on some of them

* The spelling, punctuation, and so forth are here given exactly as in the original letter.

Mr. I am that most wretched unhappy
man John Ward.
or Charles Peace
but have pity upon me & let me
have a reply from you reshacter
Sir

Facsimile of Handwriting of Charles Peace.

(See Letter on p. 63.)

The First Trial.

she is telling me that Mr. Dyson is out & askeing me to come over to her & is huseing all maner of bad talk in them to me. & I have allso got her Porthrate & mine taken togather & allso three more Porthrates of her & these three Porthrates is in the hands of the Police at black heath Police Station & as the Police do not know that they are the Porthrates of her I am a frade that they will disstrow them & if they do disstrow them it will be my doonfall.

& thear is anoughter Porthrate of her & a great meny of the noates that she sent to me at Sheffield & allso I have a meny Persons to call upon to Prove that Mrs. Dyson as tractent the Life of Mr. Dyson & allso that Mr. Dyson as tracten to take her life. & as Pointed a Paire of Pistels throught the bed room winder in Presnts of a meny Persons & and said that he would take her Life & and my Life to. & I have a meny Persons more that I must call upon to Prove of her & me been at defent Public houses her been drunk & saying that she whould take Mr. Dysons Life before she had don with him. all this I can reailly Prove if I have Jnstest don to me.

Sir

as I have got this charge to Prove to be folest & that my Life is now in danger & as I am a Prisoner that will have to be triad for my Life. I do hope and trust that you will take it into consideraceon that I am a Prisoner for trial & acording to Low & Justest I am alowed to Prepaire for my Defence. so that I do hope and trust you will not take heny thing rong that I have sad in this to you. for I do not entend to give heny offence, Sir.

Sir & do have Pity on me & give me your kind Permision that the Pappers & letters comcerning my coming trial shall not be taken away from me or be disstroded[‡] when I am removed from this Prison to heny Prison that I may be taken to.

but O Sir

do take it into consideraceon that I am a Prisoner under a charge that my Life depends upon, by me having thes Porthrats & noats in redeness for my trial, so do have Pity upon me & allow me to Prepaire for my defence & to Prove myself innocent of the Chatges[§] of Morder that is lade agantest me.

Sir, I am that most rected unhappy

man John Ward.

or Charles Peace.

but have Pity upon me & let me have a reply from you respacted

Sir

XIII.

On Friday, 17th January, 1879, in charge of two warders. Peace was conveyed from Pentonville to Sheffield, leaving King's Cross station early in the morning, and reaching his destination

[†] Threatened.

[‡] Destroyed.

[§] Charge.

Charles Peace.

at nine o'clock in good time to make his appearance before the Stipendiary Magistrate, Mr. E. M. E. Welby.

Peace was evidently bent upon doing a fine and impressive piece of acting—insolent, defiant, plaintive. Here follows a comprehensive report of the proceedings, useful for the history of the case, for purposes of comparison with the evidence given at the inquest (see Appendix B, p. 177) and at the subsequent Trial (see p. 111), and as a help to the understanding of the character of this astonishing rogue.

THE BANNER CROSS MURDER.

MAGISTERIAL PROCEEDINGS AT SHEFFIELD.*

First Day—Friday, 17th January, 1879.

CHARLES PEACE, *alias* JOHN WARD, now undergoing sentence of penal servitude for life, was brought before the Stipendiary and other Magistrates, charged with the murder of Arthur Dyson, civil engineer, at Banner Cross on 29th November, 1876.

Mr. POLLARD, Solicitor to the Treasury, prosecuted on behalf of the Treasury.

Mr. W. E. CLEGG† defended the prisoner.

[The *Sheffield Daily Telegraph* describes Peace as “a little man; unquestionably an insignificant-looking man . . . face clean-shaven, and the front part of his forehead also shaven, the sparse white hairs combed forward on each side”—wearing spectacles through which he calmly surveyed the scene.]

Mr. POLLARD—In this case, sir, I appear on behalf of the Treasury, who have the prosecution of this man charged before you of the wilful murder of Arthur Dyson on the 29th November, 1876, at Banner Cross in this borough. I understood that an application is to be made on behalf of the prisoner for an adjournment. Perhaps it would be more convenient that the application should be made at once, and a decision taken upon it, before I enter upon a statement of the case.

Mr. CLEGG—I appear for the prisoner. My application is that he may be remanded upon various grounds. The principal

* The account is adapted from that in the *Sheffield Daily Telegraph*.

† Now Sir William Edwin Clegg, C.B.E., LL.D., J.P., Lord Mayor of Sheffield, 1898-99; (b. 1852); Messrs. Clegg & Sons, solicitors, Sheffield.

The First Trial.

ground upon which I base my application is that I was only instructed this morning to appear in this case. It has been a matter of utter impossibility for me to have got full instructions from the man, seeing that I was only instructed about ten o'clock this morning in the matter. I understand that the prisoner has only been brought down from London this morning, and therefore it has been impossible for me to have communication with him earlier, or that I could have had a personal interview with him before. I also understand further that until yesterday he (prisoner) had no knowledge at all that the Treasury was going to bring him to Sheffield to put him upon his trial. The Treasury have had a great deal of time for the purpose of getting up the prosecution against the prisoner. They have had various interviews with the witnesses whom they are going to call for the prosecution; and I think it would have been only fair on their part to have given the prisoner some idea as to what was going to be done with him, and as to when he was going to be put upon his trial, so that he might have had ample opportunity to instruct his solicitor for his defence. Whereas he informs me that only yesterday was he aware that he was going to be brought up this morning. As the charge for which he has been brought up is for a murder that happened in November, 1876—as it is one of the highest charges that can be preferred against a man—as there has been evidence given before another tribunal,* which I have not had the opportunity of reading and of making myself acquainted with—I say under all the circumstances I trust your worship will not think this application is made without sufficient grounds. I feel this morning, if the case were gone into—of course I have certain information from him (prisoner), but by no means full—I feel if the case were gone into I could not do my duty towards the prisoner in defending him on this charge. He says he will require certain witnesses to be produced to give evidence on his behalf. Whether these witnesses are important or not I cannot venture to say until I have had more conversation with him. Of course, I shall take the opportunity of seeing them, and of getting the evidence he wants them to give, but whether that will be important or not I cannot say until I have the opportunity of getting the evidence that he wants them to give. He himself tells me the witnesses are important; whether they are important or not I cannot pledge my word.

The STIPENDIARY—We shall not adjourn the preliminary inquiry now, because there cannot be any reasonable grounds for getting an adjournment of the hearing of the witnesses for the prosecution.

Mr. CLEGG—My principal ground for applying for an adjournment is that I have only just been instructed in the case, and I have not had an opportunity of taking my full instructions. It

* The Coroner.

Charles Peace.

is only fair to give the prisoner the fullest opportunity of meeting this charge, that he may not have an opportunity of saying that the prosecution has been hurried against him, and that he has not had an opportunity of fairly defending himself against it. This is the most serious charge that can be brought against him, and I hope your worships are prepared to grant my application for an adjournment.

Mr. POLLARD—The only thing I can say is this—firstly, that we should never wish to hurry on a case of so grave a nature against the prisoner, but your worships must remember that this is not the first time this case has been inquired into. No doubt Mr. Clegg is perfectly well aware of the evidence given before the coroner at the inquest held two years ago. I propose only to give again the evidence which was taken before the coroner. As to the prisoner being under any hardship by the examination of these witnesses, I do not think that he will be.

The STIPENDIARY—You are only proposing to give the evidence which was taken before the coroner?

Mr. POLLARD—In fact, I may say I have hardly a word to add to the evidence. I may say that, as he has been committed on the coroner's warrant to take his trial, the prisoner need not have been brought before the bench at all. We could have preferred a bill of murder before the grand jury, and then we should only have had to supply him with a copy of the depositions of witnesses. But it was thought that it would perhaps be more fair to bring him before you and let all the evidence be given in his presence. After hearing the evidence Mr. Clegg will see if he thinks it at all reasonable to renew his application for the adjournment in order that he may cross-examine the witnesses.

The STIPENDIARY—if he wants to call any witnesses for the defence we must grant an adjournment for that purpose, but it does not follow that we shall adjourn the hearing of the witnesses for the prosecution. It would be a great expense and a great trouble to do so.

Mr. POLLARD—No doubt. And I propose to go on with the examination of the witnesses here to-day. I hope to complete the case to-day. It is hardly worth while to adjourn it, or that the public mind should be kept in a state of anxiety with reference to this case for two or three days, or two or three weeks.

Mr. CLEGG—In answer to that, sir—the statement about only offering evidence which has previously been given before the coroner—he seems to forget that we have not had an opportunity of cross-examining the witnesses. Therefore, I am still in the same position.

The STIPENDIARY—I have consulted my colleagues, and we all seem of opinion that no sufficient cause has been shown as yet for an adjournment of the case. Therefore, it must go on; at this stage at any rate.

The First Trial.

Mr. POLLARD—I don't know that it is really worth my while to occupy your time with making any statements of the facts of this case. You will hear them as they come out in the evidence put before you. But there is one fact, and it is this. I wish to observe that the prisoner escaped from justice two years ago, and he did not then stop in his career of crime, but kept on in it during the last two years. In October of last year—1878—he was captured whilst in the commission of another offence.

Mr. CLEGG—I object to this; it has nothing to do with the present charge.

The STIPENDIARY—You had better not go into that now.

Mr. POLLARD—But the man was then taken into custody.

Mr. CLEGG—I object to that; we are not charged with any offence committed then.

The STIPENDIARY—Why take the other case? Why not go on at once with this charge?

Mr. POLLARD—I simply wished to say that whilst engaged in the commission of another offence he was taken into custody.

Mr. CLEGG—I object to any remarks on that subject.

Mr. POLLARD—He is here as a convict in a convict dress.

The STIPENDIARY—We must go back to November, 1876.

Mr. POLLARD—Very well; I will call Katherine Dyson.

Mrs. DYSON then entered the witness-box, and was examined by Mr. POLLARD.

What is your name?—Katherine Dyson.

PRISONER (addressing Mrs. Dyson)—Will you be kind enough to take your veil off? You have not kissed the book.

Mrs. Dyson raised her veil and was again sworn.

Where are you residing now?—At 58 Harrington Road, Sheffield.

Are you the widow of Arthur Dyson?—Yes, sir.

In 1876 were you living with your husband at Britannia Road, Darnall?—Yes, sir.

You know the prisoner, Peace?—Yes, sir—I have known him for a long time.

When you were living in Britannia Road did he live next door?—Yes, sir.*

What was his name?—Charles Peace.

Was that the name you knew him by?—Yes, sir.

What did he say his trade was?—A picture-frame maker.

Did he do any work for you or your husband in reference to pictures?—He framed four pictures†.

* Or next door but one? Was not the correct address Victoria Place, Britannia Road; the Dysons at No. 36 and Peace at No. 40?

† The pictures framed by Peace for the Dysons were a portrait of Mrs. Dyson's sister, a portrait of Arthur Dyson, a portrait of Mrs. Dyson's brother, a portrait of her boy, and also two pictures from *Harper's Weekly*.

Charles Peace.

Mrs Dyson

Did he come and visit you and your husband as a neighbour?—Yes, he came in frequently.

He visited you and your husband?—Yes, sir, he came into our house frequently.†

Did anything take place between your husband or yourself and him, in reference to these visits?—My husband did not like him, and had written him a card asking him not to come at all.‡

Did he still continue to call upon you?—Yes, sir.

In the month of October did you and your husband remove?—Yes, sir.

Was that in consequence of anything?—Yes, sir.

What was it in consequence of?—In consequence of his disagreeable visits; he became quite annoying to us.

Was it in consequence of his visits that he became annoying?—Yes, sir.

Prior to that had the prisoner done or said anything to you with reference to a pistol?—He had threatened my life.

When was that?—In July, 1876.

What was it that led to that?—He passed me on the road, and said he should blow my brains out and those of my husband.

Had he a pistol with him at the time?—Yes, sir, he put it 6 inches from my face.

Was he holding it in his hand?—Yes, sir.

In consequence of that was there a warrant applied for?—There was a summons taken out, but he failed to appear to it.

And then a warrant was issued?—Yes, sir.

The STIPENDIARY—Was that in June?

Mr. POLLARD—In July, 1876.

Do you remember what day it was on which you removed your goods from Darnall—but first of all, where were you going from Darnall, where were you going to take a house?—At Banner Cross.

And on what day was it that you sent your goods to Banner Cross?—The 29th of October, 1876.

On that same day did you and your husband go to Banner Cross by rail?—Yes.

When you got there did you find a wagon with your goods standing opposite the door?—Yes.

The STIPENDIARY—It is suggested that Mr. and Mrs. Dyson could not go all the way from Darnall by rail; it had better be set right.

Mr. POLLARD—That is my mistake.

Mrs. DYSON—We came from Darnall to Sheffield by rail, and from Sheffield to Banner Cross by omnibus.

As you were going to the house, whom did you see?—I saw a

† See Mrs. Dyson's statement, quoted on p. 48.

‡ On this card was written—"Charles Peace is requested not to interfere with my family."

The First Trial.

Mrs Dyson

man named Bolsover* standing in the middle of the road, and I walked up to him, knowing him to be on intimate terms with Peace. I spoke to him.

Did you see any other man?—I saw the prisoner coming out of the house where my goods had been taken in.

Did the prisoner see you?—Yes.

And your husband?—Yes.

Did he say anything?—He said, “ You see, I am here to annoy you wherever you go.”

Did you or your husband say anything in reply?—I made the remark that there was a warrant out for him. He said that he did not care for the warrant—or the police either.

Did he say anything else?—He said something else, but I don't remember what it was.

What became of him then?—He went down the street in company with Bolsover.

What time would it be then?—It would be 7.30 or eight o'clock.

Now, when did you next see Peace?—On the 29th of November, 1876.

About what o'clock in the evening was it?—Ten past eight.

Had you gone into the yard?—Yes. †

Did you take a light with you?—Yes, a small lantern.

Had you to go along the side of the house and right down the garden?—Yes.

Is that where the closets were?—Yes.

Did you go into the closet, taking the lantern with you?—Yes.

As you were coming out of the closet, whom did you see?—I saw the prisoner.

The STIPENDIARY—How long were you in the closet?—About two minutes.

Where was Peace?—Standing at the door with a revolver in his hand.

PRISONER—I really cannot hear.

Mr. POLLARD—You must speak louder, Mrs. Dyson, that the prisoner may hear you. Was Peace standing there?—Yes, with a revolver in his hand.

Did he say anything?—He said, “ Speak, or I'll fire.”

What did you do?—I screamed loudly.

Loudly?—Yes.

What did you do about the door?—I banged it and shut myself in.

What next happened?—I heard my husband's footsteps coming across the yard.

What then?—On hearing his footsteps I came out of the closet.

* Bolsover, who had married Peace's daughter.

† See plan, opposite p. 111.

Charles Peace.

Mrs Dyson

Where was the prisoner then?—Walking down the yard.
With his back towards you?—No, sideways to me.
Down the passage?—Yes.

Does that lead into the street?—Yes. When he got into the passage he fired.

But, before he got to the passage, what did your husband do?—He was following behind the prisoner, and I was behind my husband.

Now, you say when he got to the end of the passage he fired?—Yes, in the direction of my husband.

Did he turn round?—Yes, he turned round and faced my husband and fired.

What was the result of that shot?—It went into the wall near the gateway. I heard the bullet strike the wall. When he got to the end of the passage he turned and fired again.

What was the result of the shot?—It struck my husband in the left temple.

What became of your husband?—He fell instantly.

What became of the prisoner upon the second shot taking effect?—He went across the road and stood in the middle for a moment, thinking whether to fire again or not.

Mr. CLEGG—You must not say that.

By **Mr. POLLARD**—What did he do after he had stood a moment?—He saw some people coming down. He got over a wall at the opposite side of the road and escaped.

You have told me that on the other side of the wall there is a field?—A small garden, and the field is behind the garden.

Now, after the second shot, and your husband fell, what did you do?—I screamed.

The neighbours came, and eventually Dr. Harrison was sent for?—Yes, sir.

Did your husband ever speak again?—No.

In what position did he fall?—He fell on his back.

Have you ever seen the prisoner from that time?—Not before I saw him in Court here this morning.

Now, you have stated that your husband wrote a card to the prisoner forbidding him from visiting at your house?—Yes, sir.

Will you look at that (handing up a card) and say whose handwriting it is?—It is my husband's handwriting.

Did your husband give it to the prisoner?—He threw it into his yard.*

Did you see it given?—No.

Is this one of your husband's cards?—Yes.

The STIPENDIARY—Is it an ordinary card?—Yes.

Mr. POLLARD—It is an ordinary card bearing the name, “Mr. Arthur Dyson.” That is all I intend to ask Mrs. Dyson.

* This was, of course, at Darnall.

The First Trial.

Mrs. Dyson

Mr. CLEGG—I ask that the cross-examination of the witness may be adjourned.

The STIPENDIARY—We shall adjourn the cross-examination of Mrs. Dyson until after the other witnesses have been heard, and then we will consider whether it is necessary to grant you the adjournment until Tuesday.

Mr. CLEGG—That is all I ask.

MARY ANN GREGORY, examined by Mr. POLLARD—I am the wife of John Gregory, of Banner Cross, grocer. Our house is the one next door to the one the Dysons lived in. I remember their coming to live there. It was in the end of October, 1876.

Do you remember on any night, about the time of their coming to live there, seeing the prisoner?—Yes, sir.

About what date was that?—It was the night they came to live at the house.

The prisoner came that night?—Yes.

Did he come into your shop?—Yes.

Was your husband present?—He was at home, and I called him into the shop.

Did they have some conversation, the prisoner and your husband?—Yes.

For about how long?—For about ten minutes.

Did you hear what the conversation was about?—No, sir, I did not. I came out of the shop.

Did he buy anything on that occasion?—He bought half an ounce of tobacco. My husband served him.

Did you ever see the prisoner again?—Yes, sir. I saw him on the 29th November.

How came you to see him then?—He came into the shop about seven o'clock in the evening.

Did he ask for your husband on that occasion?—Yes, he asked if he was at home.

But your husband was not in?—No, sir, and I told him so.

Did prisoner say anything?—He said, “I wish he was; I wanted to see him.”

PRISONER (interrupting) said he could not hear the answer.

Mrs. Gregory's reply was repeated, and prisoner appeared satisfied.

Mrs. GREGORY—I said I expected my husband in every minute.

And then did he leave your shop?—Yes, he went out.

And you say this was about what time?—About seven.

How soon did you go to the door after he had left?—I should think it would be five or ten minutes afterwards.

Did you hear any noise in the meantime?—No, sir.

By the STIPENDIARY—There had been no moving about at the back, or any noise?—No, sir.

Charles Peace.

Mary Ann Gregory

Examination continued—Did you see anybody?—I saw the same man go down into the road off the steps from the back door.

What became of him then?—He went down the road, and I watched him to the second lamp-post. Then I came in and shut the door.

In about an hour did you hear anything else?—I heard Mrs. Dyson come past our window* with her clogs on.

Would that be in the direction of the closet?—Yes.

By the STIPENDIARY—You thought at the time it would be Mrs. Dyson?—Yes. In two minutes, or not so much, I heard her scream very loud.

Examination continued—What did you do upon that?—I ran to my back door and opened it and called Mr. Dyson.

Where was Mr. Dyson then?—He was standing at their door close by our door.†

When you spoke to him what did he do?—He went directly round the corner, down the passage.

At the time you saw Mr. Dyson and spoke to him, did you see any other person?—No. sir.

What did you next hear?—I heard a noise.

What noise?—A bang of something—I don't know what.

Did you hear more than one noise?—Twice, I know.

You heard two sounds like what?—A banging noise?

The STIPENDIARY—What do you mean by a banging noise?—As if some one had struck her.

The prisoner (excitedly, pointing to Mr. Pollard)—He can tell her that.

Mr. CLEGG (to prisoner)—Be quiet.

Mrs. GREGORY—At that time I was inside my house. I had shut the door and locked it. Soon afterwards I went to Mr. Dyson's house. That was when I heard a lot of footsteps.

Mr. POLLARD—Did you find Mr. Dyson bleeding?

Mr. CLEGG—Please don't suggest.

At this point prisoner interfered, and, speaking to the chief constable, said—I object to that man taking my portrait (pointing to a gentleman at the right of the chief constable)—the man next to you, Mr. Jackson. I object to it.

The CHIEF CONSTABLE—The gentleman on my right?

PRISONER—Yes, he is sketching my portrait. I object.

Mr. CLEGG—He is a reporter taking notes.

The CHIEF CONSTABLE (turning to the magistrate)—The prisoner complains that the gentleman next to me is taking his portrait. The gentleman is a reporter, and says he could not take the portrait if he were so disposed. I assure you (speaking to prisoner) he is only taking notes.

* The back window.

† The two back doors.

The First Trial.

Mary Ann Gregory

The STIPENDIARY (looking down)—I don't see a portrait at any rate.

Mrs. GREGORY—Mr. Dyson was in a chair. He seemed insensible, and blood was streaming from his head. A doctor was sent for, and Dr. Harrison came.

Cross-examined by Mr. CLEGG—When you saw the prisoner on the first occasion did he tell you what he had come to see you about?—No, sir.

Did he purchase the tobacco before your husband came in?—When he asked for the tobacco I called for my husband. The first thing he did was to ask for some tobacco. My husband served him.

Is your husband here to-day?—Yes.

Did you hear anything that took place between him and your husband?—I did not.

The second time he came, did he buy anything?—No.

Did he have any conversation with you?—No, he merely asked for my husband.

When you told him he was not in what did he do?—He went out again, directly almost.

Did you ask him what he had come to see your husband about?—No, sir.

I believe that was the last time you saw him until this morning?—I saw him in London.*

You didn't see him again that night?—No.

I believe you didn't come out of your house again until you saw Mr. Dyson in his house?—No, sir.

Had you seen Mrs. Dyson that day?—I don't remember that I did.

When you say that you heard Mrs. Dyson go past the door you were supposing it was her?—There was no one else living at the house that could go past.

How many houses are there in the row?—Only those two have the doors close; the others are parted off.†

Did you see the person who passed your door?—I did not see her.

Is there not a thoroughfare from your passage to the other houses?—Not without going up the gardens. They can go up the gardens by a flight of steps and right through, but it is a long way.

I take it that you guessed the person who passed your door was Mrs. Dyson?—I believed it to be.

Was your door closed at that time?—Yes.

Very well, you say you heard a scream?—Yes.

You did not see the person who screamed?—No, I did not.

* Mrs. Gregory was taken to London to identify John Ward as Charles Peace.

† See plan, opposite p. 111.

Charles Peace.

Mary Ann Gregory

Could you see anybody when you opened the door?—I saw Mr. Dyson at my right hand. He passed me.

Did you close the door immediately he passed you?—Yes, and locked it.

How far is the closet from the Dysons' door?—A dozen yards. And is it round the corner?—Yes.

Before you heard this banging noise, did you hear any scuffling?—No.

Did you hear any talking?—No.

What sort of a night was it?—A clear, moonlight night.

You are quite certain?—Yes.

Mr. POLLARD—Which night was the clear, moonlight night—the October night or the November night?—November night.

SARAH COLGREAVES, wife of Thomas Colgreaves, Dobbinhill, near Sheffield, examined by Mr. POLLARD—My house is a quarter of a mile from Banner Cross Terrace, where Mr. and Mrs. Dyson lived. I remember on one night in 1876 going to Mr. Gregory's shop. It was on the 29th November, at about half-past seven o'clock in the evening. As I was going along I met the prisoner about 30 or 40 yards from Mr. Gregory's shop. He spoke to me, and asked me if I knew who lived in the second house up.

Which house would that be?—Mr. Gregory's is the first.

It would be the next door to Mr. Gregory's you understood him to mean?—Yes.

Did he say anything more?—I told him "No," and then he said, "Do you know if they are strangers?" And I said, "Yes."

Did he ask you to deliver any message for him?—Yes. He asked me did I mind going to say that an elderly gentleman wished to speak to her, but before that he said, "You don't know that?" and I said, "No." He said, "Then I will tell you. This woman is my bloody whore."

What did you say to him when he said that?—I told him he ought to mind what he said, and particularly about strangers.

And then he asked you to go and deliver a message for him!—I said to him, "Go yourself."

And did you go on then towards Mr. Gregory's shop, leaving him?—Yes.

And as you went on did you notice which way he was going?—Not then, but I saw him afterwards when I was coming out of Gregory's.

In about ten minutes time you say you saw the prisoner go? Where was he?—At the passage bottom; he was coming out of the passage by Mr. Gregory's.

Where did he go then?—He went up the road.

And that is the last you saw of him?—Yes.

Until you saw him in Newgate?—Yes*

* Mrs. Colgreaves was taken up to London to identify Peace.

The First Trial.

Sarah Colgreaves

Cross-examined by Mr. CLEGG—Did you see him before you saw him at Newgate?—Yes.

Then that was not the first time you had seen him since the night of the murder? Did not you see him in the Court at London?—No.

Were not you in the Central Criminal Court when he was being tried?—No.

PRISONER—The day before you saw me at Newgate?—No.

The STIPENDIARY—Perhaps she would not know quite if it were in Newgate. Where was it you saw him next? Was it in the street, or open air, or where?—It was in the yard, in the airing place.*

Cross-examination continued—Were other persons present with the prisoner?—Yes, and they were walking them round the yard.

Was there anybody with you?—A policeman.

Anybody else?—No, sir, not where I had to identify him.

Did you not go with somebody from Sheffield?—Yes, I went up with the other witnesses.

Did you go together to identify him?—We went in separately.

Can you tell me the date on which you went to London?—I am sure I don't know the date; I went up with the other witnesses.

You remember the date, 29th November, 1876. Cannot you tell me the date on which you went to London?—I cannot say.

It is not long since, you know?—I know that.

Did not you go to see him in the Court before you went to the gaol?—No, sir, I did not.

How was he dressed when you saw him in the prison?—He had a dark coat on, and he appeared to have a soft hat on.

You knew you had been taken up to identify him?—Yes, of course I did.

Had you ever seen him before this night of the 29th November?—Not to know him.

How was he dressed on that night?—He was in dark clothes, but I cannot say anything more about it.

You can only say they were dark clothes?—They were dark clothes.

Can you tell me what sort of a hat he had on?—No, I cannot.

You did not particularly notice him?—I met him by the lamp, and he walked up by the side of me.

Away from the light?—Yes.

Am I to take it you did not particularly notice him?—I noticed him that much that I knew him directly I saw him in Newgate.

What did you identify him by when you saw him in the yard of the prison?—I identified him by his own looks.

By his face or what?—By his face and his stature altogether.

* At Newgate.

Charles Peace.

Sarah Colgreaves

Did you notice him particularly?—When I met him and he spoke to me, of course I looked at him.

If you noticed him particularly, how is it that you cannot tell me what sort of clothes he had on and what sort of a hat?—I don't know what sort of a hat he had on, but I know he had dark clothes on.

I suppose he had on a hat of some sort?—Yes, of course, he had a hat on.

But if you looked at his face you would see what sort of a hat he had on?—Well, it looked like one of those hats there (a felt one with low crown, on the solicitor's table).

How long were you in conversation with him before you left him?—Perhaps five minutes.

Would it take you five minutes to walk 30 or 40 yards?—It took me the time I told you, and then, of course, I left him.

Had you been walking with him the whole time?—Yes, slowly.

Were you walking away from the light?—Yes.

Did you notice the colour of his face when you saw him in Newgate?—A little.

PRISONER—Was I like this (making a horrible facial contortion).

The STIPENDIARY (*to Prisoner*)—You had better not interrupt.

PRISONER—I beg your pardon, sir, but my life is at stake, and I am going to vindicate my character as well as I can. If you don't want me to speak, put a gag in my mouth. When I hear a person perjuring herself I will speak. I wish to say it openly and in Court that up to the time when this woman saw me in Newgate I had disfigured my face so as not to be known. I was not then known as Charles Peace, and I had disfigured my face, so that I had deceived all the detectives in London. My face was disfigured when this woman saw me.

The STIPENDIARY—It was merely for your own sake I told you not to speak.

PRISONER—I am bound to speak when I hear wrong statements.

Cross-examination continued—When you saw his face in Newgate, tell me, was it the same complexion as it is now?—No, it looked darker.

Much darker, was it not?—Yes, but not so very much.

Is it darker now than when you saw him in Newgate?—He does not look darker.

Do you know that at the time you saw him he had been tried for another case?—No, sir, I don't.

Did you stop for his trial?—I think his trial was over.

Previous to this 29th November you had never seen him at all?—Not to know him.

What sort of a night was this 29th November?—It was moonlight.

The First Trial.

Sarah Colgreaves

How far was he away from you when you saw him, as you say, coming out of Gregory's passage?—He was coming out of Gregory's shop.

How far is that place off?—A couple of yards.

Did you speak to him?—No.

You say he went up the road—towards Ecclesall?—Yes.

From Gregory's house, was it not?—Yes.

CHARLES BRASSINGTON, Lane End, Ecclesall, labourer, examined by Mr. POLLARD—I remember being on the road near to the Dysons' place on Wednesday night, 29th November, 1876. I was stood in front of the Banner Cross Hotel at the time.*

How far is that from Mr. Gregory's shop?—It may be 30 yards from Mr. Gregory's. It would be between eight and nine o'clock in the evening—it would be turned eight. It was a moonlight night.

Did you notice any one passing you whilst you were there?—Yes, there was a man walking backwards and forwards on the causeway I was on.

You say he passed you two or three times, as he walked backwards and forwards?—Yes.

Where were you standing with reference to any lamp?—I was standing on the causeway underneath the lamp.

What happened? Did any one speak to you?—Yes.

Who did?—The prisoner there.

Did he come up to you and speak to you?—Yes.

What did he say?—He asked me if any strange people had come to live about, and I said I did not know of any. When we got to the lamp above he showed me some photographs.

Did you walk together to the lamp above?—Yes, we walked up to it from the Banner Cross Hotel.

Very well. Did he say anything more?—Yes; he showed me some photographs, and then he showed me some letters.

And did he say anything?—Yes, he wanted me to read those letters, and I told him that I could not read the letters.

The STIPENDIARY (to prisoner, as witness was speaking in a low tone of voice)—Can you hear him?

PRISONER—Yes, I can hear him, I can hear him; I'm watching him.

Examination continued—Did he say anything to you?—He told me he would make it warm for the strangers before morning. He would shoot them both.

PRISONER—Oh! you villain. God reward you. He will.

Examination continued—Did anything else take place, or did he go away?—No, sir. He went down the road towards Gregory's.

How long do you think you were with him altogether, taking

* See plan, opposite p. 111.

Charles Peace.

Charles Brassington

it from the first time you saw him until he left you?—Happen ten minutes. I can't say exactly.

And did you have a good look at him?—Yes, I looked at him, but I did not take very great notice of him.

Where did you next see him?—In London.

When was it?—I cannot name the day.

Some time in last November, was it? Was it two or three months ago?—Yes.

Where did you see him then?—I saw him in Newgate.

Where did you see him in Newgate?—At the Town Hall.

Was it in a building like this or out in a yard, or where?—They were walking round a yard.

Were there any others with him?—Yes.

But how many?—I cannot say how many there were. There were several others besides him.

All walking round the yard?—Yes.

Was that in the prison at Newgate?—Yes.

PRISONER—Why do you put the word Newgate in his mouth like that? He did not say Newgate; he said "in the Town Hall." (*To the Stipendiary*)—Why did he say "It was in Newgate you saw him," when the witness said Town Hall? I am going to have fair play, and I will interrupt the proceedings if I don't get it. He said "in the Town Hall," and then you (Mr. Pollard) deliberately say that it was in Newgate the prisoner was. You were putting that very word in his mouth. He did not say Newgate, but "Town Hall."

The STIPENDIARY—What I understood the witness to say was this—

PRISONER—I have seen a great deal of injustice done in different Courts, but I am not going to have injustice done here.

Mr. ROBINSON explained that the witness said he saw the prisoner in Newgate at the Town Hall.

The PRISONER—He said he saw me in the Town Hall, in London, then directly after that he (Mr. Pollard) says he saw me in Newgate.

The STIPENDIARY—It is not worth while going into that.

PRISONER—Oh, yes, but it is worth while to me. I am not a dog. My life is at stake. If you hang me it will only free me from a long, dreary life of penal servitude, and I don't care much which way it is; but I am going to have full justice done me. I will interrupt you if you do not do justice, and if you gag me I'll try to interrupt you.

The STIPENDIARY—Just you listen to me.

The prisoner, however, mumbled something to the warders and police near to him, and interrupted the Court.

Mr. POLLARD—I wish to remind you of this. If the prisoner threatens the Justice, needlessly interrupts the witnesses, or, after

The First Trial.

Charles Brassington

being told to desist, does not conduct himself properly, you can order his removal.

The STIPENDIARY—We have great power, but it is not always wise to exercise it. (*To the prisoner*)—If you listen to what is put down it will be what the witnesses have said.

Mr. ROBINSON—This is as I have it down—“I next saw him in London, in Newgate, two or three months ago, in a yard in the Town Hall.”

The prisoner shrugged his shoulders.

Examination continued—Did you go in alone to see him?—Yes.

Who was with you, if any one? The warder, or policeman, or anybody of that kind?—Yes, a gentleman was with me. I cannot say who it was.

Was it any one you knew?—No, sir.

Did you identify him directly you saw him?—Yes.

Are you certain he is the man?—Yes.

Cross-examined by Mr. CLEGG—I believe you said that when you saw him on this night you did not take much notice of him?—No. I did not take so much notice of him.

Did you notice how he was dressed?—He had dark clothes on.

You say that he showed you some portraits?—Yes.

Can you say what sort of photographs they were?—They were men and women.

Was there more than one man and one woman in a photograph?—I cannot say. There might be half a dozen or more.

By the STIPENDIARY—Do you mean half a dozen photographs or people in each?—Photographs.

Cross-examination continued—I am now talking as to how many persons there were in each photograph. Was there more than one; were there two?—I cannot say how many there were. I never had them in my hand.

You know you were shown a photograph. Was there a woman in the photograph?—Yes.

Anybody else besides her?—Yes, there were two or three men and women on them.

But in one photograph?—No.

Was there one photograph with one woman on?—Yes.

Did you see that portrait?—Yes.

Can you tell us who it was?—No, I cannot tell whose it was.

Do you know who it is now?—No, I don't know her.

Can you identify that person now? Do you know who it is?—No.

The woman I am talking about?—No.

Now, you saw another photograph with a man and a woman on it, did you not?—No, there were men and women on them all that I saw; there were none of them both together.

Charles Peace.

Charles Brassington

By the STIPENDIARY—Were there more than two figures on any of the photographs that you saw?—No.

Cross-examination continued—Was there not a man and a woman taken together on one you saw?—No, not that I saw; not both on one portrait.

Were those portraits taken in a proper manner, or was there anything indecent on them?—No, not that I saw, there was not.

Did he tell you who they were?—He said they were those strange folks that had come to live at Banner Cross.

When you saw him first how far were you away from Gregory's shop?—Happen 30 yards away.

Which way did you walk?—We walked up the hill.

Were you walking away from Gregory's shop?—Yes.

Had he mentioned to you anybody's name?—No.

Was he talking the whole time he was with you?—Yes.

Have you told us the whole of the conversation you had with him?—Yes.

What, the whole of it?—Yes.

About what time was this that you saw him?—It would be between eight o'clock and nine o'clock when I saw him the first.

How long were you with him?—Happen ten minutes; I wasn't with him long.

Then, as I understand, you left him going away from the direction of Gregory's shop?—Yes. When I left him I was going home. He then went down the road towards Gregory's.

Did you see him go that night?—No.

Have you been up to London more than once?—No, no.

When you went to London did you go to a Court something like this?—No; we did not go into a Court.

I suppose you knew the purpose for which you were going up to London?—Yes.

Did you know the man before that night, or had you ever seen him before that night?—No, sir, not that I know of, I had not.

Was his appearance exactly the same when you saw him in Newgate as when you saw him that night?—Yes, he had dark clothes on in Newgate.

Was his face the same colour when you saw him in Newgate as when you saw him that particular night?—I could not tell any difference.

You did not look particularly enough to notice?—I did not take so much notice of his face.

I am now talking about the night—You did not take so much notice of it?—No.

Did you notice how he was dressed on this particular night—on the 29th November?—He had dark clothes on.

What sort of hat had he on?—I cannot say as to his hat.

The First Trial.

Thomas Wilson

THOMAS WILSON, examined by Mr. POLLARD—I live at Brincliffe Hill, and am a scythe maker. I remember on the night of the 29th November, 1876, being outside the Banner Cross Hotel. It was about twenty minutes past eight o'clock.

Did you hear anything?—Yes, I heard the report of a pistol, which was fired twice. The shots were in quick succession. The second came from down the road.

Upon looking that way did you see anything?—Yes.

What did you see?—I saw a man run across the road, and get over the wall. He ran from the bottom end of the houses. On getting over the wall he would drop into the garden, and then, by jumping over a low wall about 4 feet high, he would get into the field.

What sort of a night was it with regard to light?—It was moonlight.

I believe you could not see to distinguish who it was. You only saw that it was the figure of a man?—That was all. The moon was just under a cloud at the time.

Having seen and heard this, what did you do? Did you go to Gregory's house?—I did not do anything at all. I heard a woman scream, and I went to the place where I heard the scream. I went into the entry by the side of Gregory's house.

When you got there did you find Mr. Dyson, and Mrs. Dyson holding his head up?—Yes.

In the house was it?—No, in the passage.

You went for a doctor, I believe?—Yes.

Did you fetch Dr. Harrison?—Yes.

And he came soon afterwards?—Yes.

JAMES WILLIAM HARRISON, surgeon, Cemetery Road, examined by Mr. POLLARD—On the 29th of November, 1876, I was called by the last witness to see Mr. Dyson.

About what time did you get there?—About 8.30 o'clock.

Did you find Mr. and Mrs. Dyson in a room in the house?—Yes, sir.

Describe what you saw, and in what state Mr. Dyson was?—He was in a chair. There was a lot of blood about his feet and on the floor. He seemed to bleed from the left temple, and he was unconscious. I had him laid down on the floor and attended to him.

Did he ever recover consciousness?—No.

Did you remain with him till he died?—Yes.

What time was that?—At 10.30, so far as I can recollect.

The same night?—Yes.

Did you subsequently make a post-mortem examination?—I did.

What was the result of it?—I found a wound on the left temple, running upwards and backwards, and I found this bullet situated in the substance of the brain.

Charles Peace.

James W. Harrison

Will you state what in your opinion was the cause of death?—Shock from the presence of this bullet in the brain.

Cross-examined by Mr. CLEGG—Can you tell me whether the wound was a straight or a slanting one?—It ran obliquely from the left temple to the right side of the head.

GEORGE WARD, police constable, examined by Mr. POLLARD—On the 30th of November, 1876, I searched in a field opposite to Mr. Dyson's house.

How is that field situated with reference to Mr. Dyson's house?—There is a road parts the house from the field. It is the turnpike road, and is about 10 yards.

Is there a garden between the field and the road?—There is a garden in a line with the field.

With reference to the wall which divides the garden from the field, did you find anything?—About 15 yards from the garden wall I found some papers, and among them this card.

The STIPENDIARY—Is it the same card that has been referred to previously?

Mr. POLLARD—It is. (*To Witness*)—To whom did you give the card and the other papers?—To Inspector Bradbury.

By Mr. CLEGG—Do you produce these papers?—The Inspector does.

JACOB BRADBURY, inspector of police, Highfield Division, Sheffield, examined by Mr. POLLARD—On the morning of 30th November, 1876, did you receive a card, which you now produce, from the last witness?—Yes, sir.

[The card was then put in. On one side was engrossed the name “Mr. Arthur Dyson,” and on the other side was written, “Charles Peace is requested not to interfere with my family.”]

Examination continued—I believe on the previous night you went to the house of Mrs. Dyson?—Yes, sir.

Was Mr. Dyson then alive?—No, he was just dead. It would be thirty-five minutes past ten.

Did Mrs. Dyson give you any description of the person who had shot her husband, and did she mention any name?—Yes.

In consequence of that, for whom did you search?—For a man named Charles Peace.

Were you able to find him?—No, I was not.

I believe other members of the police force also endeavoured to find him?—Those who knew him did. Mrs. Dyson gave us a very good description of the prisoner.

Cross-examined by Mr. CLEGG—Did she say the man had a beard?—Yes.

You say Ward gave you some papers. Will you let me look at them?

[The papers were handed to Mr. Clegg, who examined them.]

The First Trial.

Jacob Bradbury

Was there any portrait amongst these papers?—No, sir.

Have you seen one?—Not amongst these papers.

When did you?—In the chief constable's office.

Whose was it?—There were two on one photograph.

Who did the portraits represent?—There was a male and a female. The male was the prisoner, and the female I believe to be Mrs. Dyson.

Taken together?—Yes, I should think so.

You saw another portrait. Who did that represent?—Mrs. Dyson.

From your own knowledge do you know whence the chief constable got them?—No.

Mr. POLLARD—That is my case.

Mr. CLEGG—I renew my application now, and I think I have stronger grounds than before, because, you see, certain letters have been produced, which it is presumed were in the possession of the prisoner on November, 1876. From that day to this neither he nor anybody else that represents him has had an opportunity of seeing the contents of those letters, and, as there are a great number of them, I ask in the interval that the cross-examination of Mrs. Dyson may now be deferred to some day suitable to your worships.

The STIPENDIARY—What other day do you ask for?

Mr. CLEGG—Wednesday, I think, is the most convenient day.

The STIPENDIARY—Then we adjourn till Wednesday.

Peace was taken back to London.

Comments upon the above evidence, at the second hearing by the Stipendiary and upon that given before the coroner are reserved until after the trial.

XIV.

Peace, remanded to Wednesday, 22nd January, spent the intervening time at Pentonville.

On the morning of that day, handcuffed, and in convict garb, in charge of James Crosgrove, chief warder at Pentonville, and Warder William Robertson, Peace again departed from King's Cross Station, by the 5.15 express, which was due to arrive at Sheffield at 8.45.

During the journey of the previous week he had been exceedingly troublesome, making an excuse of necessity to leave the train at each stopping place and also behaving in the carriage in a beastly and beastlike manner. At Peterborough he had been allowed to get out, and there had been unseemly difficulty in bringing him back. To put a stop on this behaviour, the warders provided a number of paper bags, and whenever Peace required one it was given to him and then thrown out of the window. These details

Charles Peace.

are disgusting, but assist the realisation of the brutish nature of the man.

After passing Worksop the route would be familiar to Peace. Between Shireoaks and Kiveton Park stations Peace demanded another of these bags—he had already used several—and stood up with his back to Robertson. The window was lowered for him to throw out the bag, and at once he leaped out. The train was then running at some 45 miles an hour. Robertson caught him by the left foot, and there Peace hung, struggling, and kicking with his free foot. The chief warder, unable to render his colleague any assistance, pulled the alarm cord to stop the train, but with no result.

Robertson held on, but Peace's boot did not. He fell on the track in the snow. The train was brought up some way further on, and the warders and others, running back, found Peace lying on the six-foot way, insensible, bleeding from a wound in his head. He was lifted into the guard's van of the slow train that had come up, and, regaining consciousness, muttered: "I am cold; cover me up." He was then wrapped in some rugs and taken on to Sheffield.

What was his motive? Escape or suicide? It was close to Darnall, a neighbourhood he knew thoroughly; had he got away unhurt he might have been at liberty for some time. His own account, given to his stepson, was this—"I saw from the way I was guarded all the way down from London, and all the way back, when I came for my first trial, that I could not get away from the warders, and I knew I could not jump from an express train without being killed. I took a look at Darnall as I went down and as I went back; and after I was put in my cell I thought it all over. I felt that I could not get away, and then I made up my mind to kill myself. I got two bits of paper, and I pricked on one of them the words, 'Bury me at Darnall. God bless you all.' With a bit of black dirt that I found on the floor in my cell I wrote the same words on another piece of paper, and then I hid them in my clothes. My hope was, that when I jumped from the train I should be cut to pieces under the wheels. Then I should have been taken to the Duke of York (a public-house at Darnall), and there would have been an inquest over me. As soon as the inquest was over you would have claimed my body, found the pieces of paper, and then you would have buried me at Darnall."

The First Trial.

Meanwhile a huge crowd had assembled outside the Magistrates' Court, hopeful of catching a glimpse of Peace, but at 10.15 the Stipendiary announced that the hearing was adjourned, owing to the injuries Peace had received.

The prisoner was confined in a cell on the second landing of the police station in Water Lane, where, curled up in a heap of rugs, he spent the night; complaining of the cold; whining and moaning. He was solicitously attended to by the police surgeon, Mr. Hallam. By nine o'clock he was appreciably better. The warders kept strict watch upon him, and so did he upon them; brandy and milk were administered; he did not sleep, at least he said he did not. In the morning he announced that he wished he was dead!

It seems to have been the opinion of the police that he was not nearly so bad as he made out to be. At any rate it was considered highly desirable to avoid all unnecessary delay, in order that Peace might be tried at the forthcoming Assizes in February.

XV.

The adjourned inquiry was continued, not in the Magistrates' Court, but in the dark and cheerless corridor outside Peace's cell. By candle-light! During the whole time he was lying swathed in bandages and wrapped in rugs. By some it was thought that the prosecution were acting somewhat harshly in their dealings with him.

Second Day—Friday, 24th January, 1879.

When the stipendiary had taken his seat, two warders brought out the prisoner and placed him in an arm-chair.

Looking round with a stare of vacancy and groaning between the words, the prisoner said—"What are we here for? What is this?"

THE STIPENDIARY—This is the preliminary inquiry, which is being proceeded with after being adjourned.

PRISONER (groaning)—I am not able to bear it. I ought not to be brought here.

THE STIPENDIARY—Then you must do the best you can do. This is only the preliminary inquiry. You are not absolutely obliged to be here, so you must attend as well as you can. You are represented here, and the preliminary inquiry is to be finished to-day.

Charles Peace.

PRISONER—I wish to God there was something across my shoulders. I am very cold. Oh, dear; oh, dear! Then am I to be committed to-day?

The STIPENDIARY—The preliminary inquiry will be finished, and if the evidence is sufficient you will be committed.

PRISONER—I want to have my solicitor here. Oh, dear! and I want to call my witnesses.

The STIPENDIARY—You will have plenty of time to do that.

Mr. CLEGG—You will have sufficient time for that; you will have plenty of time to call your witnesses.

PRISONER—I am not able to go on. Oh, I am so cold! (A thick rug was here thrown over him by one of the warders.) I am not able to go on; I am not. This is not justice; it is not justice.

The STIPENDIARY—You must take it for what it is.

PRISONER—Then I say it is not justice; it is not justice. Why does not my solicitor prevent this, and ask for a remand? What is my solicitor doing not to prevent this? Tell my solicitor I want him.

Mr. CLEGG—Well, what do you want?

PRISONER—Why don't you ask for a remand?

The STIPENDIARY—It is no use asking for a remand. I tell you the inquiry is going to be proceeded with.

PRISONER—It is not justice. I am not able to go on. You know how I am. Oh, dear! It is no matter. If I'd killed myself it'd be no matter. You know how I am, and I ought to have a remand. I feel I want it, and I must have a remand.

The STIPENDIARY—A remand will not be granted, and you had better attend to what is said.

Mr. CLEGG—if you want to say anything, wait until I am cross-examining Mrs. Dyson, and it can be done then. You had better save your energies until then. The inquiry will be proceeded with to-day.

Mrs. DYSON, further examined by Mr. POLLARD—There were some papers produced the other day in Court (handed in). Have you seen those papers before?—Yes.

When was it you saw them?—At the coroner's inquest.

At the coroner's inquest in December, 1876?—Yes.

You have seen the first card—the card numbered one. That, I think you say, is the handwriting of your husband on the back of it?—Yes.

With reference to all the other papers, do you know the handwriting?—No, I do not.

PRISONER—They are not all there. I want to look at them.

By the STIPENDIARY—You do not know whose handwriting it is on any of them?—No. I know none of them except the post-card.

The First Trial.

Mrs Dyson

PRISONER—I want the milkman calling.*

Examination continued—Were any of those written by your authority? Do you know any of them?—Not by my authority. I know nothing of them.

There is only one other question I wish to trouble you with. What distance should you say it is from the house that you lived in at Darnall to the house you removed to at Banner Cross?—About 5 or 6 miles to the best of my knowledge.

And at the opposite side; is it from one end of the borough to the other?—Yes.

Inspector BRADBURY recalled, and further examined by Mr. POLLARD—Do you produce a bullet?—Yes (producing it).

From whom did you receive it?—From Dr. Harrison.

When?—On the 8th of December, 1876, the day of the inquest.

By the STIPENDIARY—Is that the bullet that was produced the other day?—Yes.

Cross-examined by Mr. CLEGG—You remember, on the last time, Mr. Bradbury, that I asked you if you had seen a photograph?—Yes.

Have you got that photograph now?—Yes. [The photograph was produced.]†

I believe you got it from Mr. Jackson, the chief constable?—I did.

Mr. POLLARD—I want to ask one or two questions of Mrs. Dyson with reference to these photographs.

The STIPENDIARY—Certainly.

Mrs. DYSON, recalled, and further examined by Mr. POLLARD—Whose photograph is this?—It is the prisoner's and mine.

When was that taken?—It was taken in 1876, at Sheffield Fair, but I do not remember the date.‡

When was that taken?—It was taken in 1876.

How near was it to the 29th of November, 1876?—It was some months before that date; at the Sheffield Fair.

Will you look at that (handing a small photo to witness)?—That is mine.

Had you in the year 1875 or 1876 a photograph like that in that position?—Yes, I had one in a locket.

Was it in 1875 or 1876?—I had it in 1875.

* Made clear later. Not nonsense.

† The photograph was what was known as a “tintype,” taken by an itinerant photographer. Peace paid for it; took it home, and the chief constable found it in the house of Bolsover, soon after the murder, and it was copied and circulated. Much will be heard of it later on.

‡ The Summer Fair held on Whit Tuesday and Wednesday; the Winter Fair in November.

Charles Peace.

Mrs Dyson

Can you say at all whether it was in 1875 or 1876?—Yes, I had it in the early part of 1876.

Have you that photograph in the locket now?—No, sir; it was taken from me.

How do you mean?—It was taken out of the house without my knowing how.

It was in the winter?—Yes, 1875, as well as I can remember.

By the STIPENDIARY—Before the bigger one was taken?—Yes, it was.

Examination continued—Can you say whether it was the winter of 1875 or 1876?—Well, it was about Christmas.

Do you say that the locket was stolen?—No, the photograph was taken out of the locket.

You were living at Darnall then, were you?—Yes, sir.

Where was the locket when you missed the photograph from it?—It was in my bedroom.

Did you speak about the loss?—Yes, I mentioned it to my husband.

Did you ever find the photograph?—No, sir.

Is that the original, or a copy of the photograph that you so lost?—That is not the original, because the one I had was taken in Cleveland, Ohio.

And this is a copy of it, is it?—Yes.

I see that this has the name of F. Barber, photographer, Church Gates, Sheffield?—This is not the original.

Did you ever go to Mr. Barber's to be photographed?—No, no; I never had a photograph taken in this country except that one that was taken at the Fair.

The STIPENDIARY (*to Prisoner*)—You must not put your feet on the table.

PRISONER—All right.

Examination continued—Did you tell any other person at the time beside your husband of the loss of the photograph from your locket?—I told one of the officers.

You did not mention it to any neighbours at all?—No.

At Sheffield Fair time the prisoner was a neighbour of yours?—Yes; I believed him at that time to be a respectable man.

And a picture-frame maker, as you said?—Yes.

You said you had this photograph with you then. Where was it kept?—On the mantelpiece in the kitchen.

With reference to the day it was taken, did you miss it from the mantelpiece? When did you miss it?—In a week or so after it was taken.

When did you next see this one (lifting another photograph)?—I cannot exactly say the day.

Recently?—One day last week.

Where did you then see it—in whose hands?—Mr. Jackson's.

In the hands of the police?—Yes.

The First Trial.

Mrs Dyson

Did you give it to any one?—No, I did not give it to any one. It was taken away without my knowledge.

Then with reference to the photograph which was taken from your locket, what about it?—It was taken away without my knowledge.

Cross-examined by Mr. CLEGG—Was not that photograph taken in the Fair of 1876?—In 1876. I think so, as well as I can remember.

Was it during the time you were residing at Darnall?—Yes.

When did you leave Darnall; was it on the 29th October?—On the 25th October, 1876.

Was it at the Fair preceding the time you left Darnall?—It was at the Fair before I left Darnall.

I want now to know for certain. Are you certain this was taken in the preceding Fair before you left Darnall?—I did not say the preceding Fair.

Well, I ask you now?—I cannot say.

You have already said you thought it was the Summer Fair of 1876?—I think so, but I am not quite certain, but it was taken at Sheffield Fair.

I will try and assist your memory. Did you not say before the coroner that you had known the prisoner for about ten months?—I don't recollect exactly.

At the time you gave evidence before the coroner in December, 1876, how long had you known the prisoner?—Perhaps near a year.

Had you been with him to more than one Fair?—No, sir.

Had you been with him to what is called the Winter Fair?—No.

Then the Fair at which you had been with him was the Summer Fair?—Yes.

You say you had only known him a year, and you had not been with him to a Winter Fair. Now, then, cannot you now say that it was the Summer Fair of 1876?—Oh, no, I cannot say, because I am not quite sure.

I will try and assist you a little further. How many months was it before you took out the summons against him for threatening your life that you had been with him to the Fair?—I cannot tell you how many months.

Please to try and remember. Are you troubled with a bad memory?—Not very bad.

Then try and remember, please. Can you tell me how long after you had been to the Fair you took out the summons?—I cannot tell you exactly. It might be two or three months, perhaps.

Two or three months?—It might be. I cannot be quite sure.

When were you married to Mr. Dyson?—I do not remember the date.

Don't remember the date?—What year was it?—I can't tell you that.

Charles Peace.

Mrs Dyson

Please to listen to me. Do you mean to swear upon your oath that you can't tell the year when you were married?—No, I can't say what year.

Not what year?—No, but I can find out.

I want to know now. Do you mean to stand there and say you don't know what year you were married in?—I don't.

Where were you married?—In Cleveland, Ohio; Trinity Church.

Were there any witnesses present at your marriage?—Certainly.

What were their names?—My sister, Mrs. Thomas Mooney, and Dr. Sargent.

Did you get a certificate of your marriage?—Certainly.

Did you bring that to England with you?—No, it is with my agent in America.

With your agent? What is your agents' name?—Booth, Barret & Co.

Where is their place?—St. Louis, Missouri, United States.

Had you any object in leaving your certificate there?—I have left other papers there. They are more safe than carrying them about.

The STIPENDIARY here interposed with reference to the manner in which Mr. Clegg was cross-examining.

Mr. CLEGG—In this case it is a question of credibility as to what actually happened, and as this witness is the only person who actually saw what happened I think I have a right to test her credibility in every possible way. I have an object in asking these questions as to her marriage, in consequence of what I am instructed she has told somebody about it.* I wish to inquire into it whether it is true or not.

(To Witness)—Was your husband friendly with the prisoner?—Yes.

Did he frame any pictures for you?—Yes.

Did he tell you what they were?—Yes.

Please tell me—One was a portrait of my sister, one of Mr. Dyson, one of my brother, and one of my little boy.

Nobody else?—He did other two, but these were taken from *Harper's Weekly*.

Was your husband's mother not amongst them?—I think not, sir.

Will you swear he did not frame that?—No, he did not.

Had your husband a portrait or picture of his mother?—I had one.

Did you ever ask him to frame this portrait—this picture of your husband's mother?—Yes. I was to get a large one of my

* Peace declared that Mrs. Dyson told him more than once that she was not married to Dyson.

The First Trial.

Mrs Dyson

mother. I mentioned it to him about framing them, but I never got the photographs.

Did you ask him to frame your mother's portrait?—Yes, but he never did it.

Did you write him any letter?—

Mr. POLLARD—She gives a reason why she did not ask him.

Mr. CLEGG—It is not in answer to my question. I do not care about her reasons. (*To Witness*)—Did you send him a letter about it?—No, sir.

Look at this letter, No. 6.* Is it in your handwriting?—No.

Is it in your husband's writing?—No.

Do you know whose writing it is?—No, I don't.

Did any person know of your wish that he should frame the picture of your husband's mother but your husband and yourself?—Not that I am aware of.

Have you ever seen the prisoner write?—No, sir.

You will swear that you never saw him write?—No, I never saw him write. My husband used to write for him. I have seen him sitting at a table with writing materials in front of him.

Could you tell his writing if you saw it again?—I have not seen him write.

Have you ever seen letters purporting to come from him?—No, I never have, for I did not know he could write, because he used to get my husband to write for him.

As far as you are concerned in reference to this wish that you wanted the prisoner to frame your photo?—I did not ask him to frame mine.

I did not ask you that. I said your husband's mother's photograph, that you did not tell any one of that?—I do not remember that I did.

Now, just listen to this letter—“ Saturday Afternoon—I write you these few lines to thank you for all your kindness, which I shall never forget, from you and your wife. She is a very good one. Does she know you are to give me the things or not? How can you keep them concealed? One thing I would wish you to do is to frame his mother's photograph, and send it in with my music-book; if you please; do it when he is in. Many thanks for your kind advice. I hope I shall benefit by it. I shall try to do right by everybody as far as I can, and shall always look upon you as a friend. Goodbye. I have not much time. Burn this when you have read it.”† Madam, will you still venture to swear that that paper is not in your writing?—No, sir, it is not.

PRISONER—I will prove it, though.

* For all references here and hereinafter to these letters, see Appendix A, p. 173.

† Mrs. Dyson said she did not write any of these letters. Peace could not have done so. Who did?

Charles Peace.

Mrs Dyson

By Mr. CLEGG—You remember that you are upon your oath?—Yes, I do.

You were very intimate with Peace, were you not?—Yes, used to go into his house with his wife and daughter.

Have you been together with him, and have you not been to places of amusement together?—I have been with him, his wife, and daughter.

I did not ask you that. Have you not been alone to places of amusement with him?—Not to places of amusement. I have been to one place in Sheffield alone with him.

Where?—I don't know where. Peace said that there was a man there who was his brother.

What sort of a place was it?—A public-house. A man was there who he said was his brother.

By Mr. ROBINSON—Did you see that man there?—Yes, we saw him.

Do you know the name of the street?

PRISONER (raising himself up, and addressing his solicitor, extending his arm towards Mrs. Dyson)—Ask her about going to the theatre with me.

By Mr. CLEGG—Have you been to the theatre with him?—I was with him and his daughter and wife.

Was your husband there?—No; but I had other friends along with me.

Have you been with him alone to the Albert Hall?—No, I never was with him alone; his daughter was with me.

Have you been to any public-houses together?—I have already told you I have been to one.

More than once?—No, not along with him; but he has followed me into public-houses when I was with my husband. He followed me into one or two at Darnall.

What is the name of it?—I cannot tell you the name of it.

Was one the Duke of York?—I believe so.

Didn't you used to go there alone?—I used to go there.

Stop a bit. Did you not sometimes go to that house to get something to drink, and tell the landlord to put it down to Peace, the prisoner?—No. There was no landlord, only a landlady in the house, then.

Oh, do you remember that? The name is Mrs. Liversidge, is it not? I ask you now, have you been to the Halfway House?—Yes.

Have you told the persons belonging to that house to put down the drink you had to Peace?—Not to my knowledge.

Not to your knowledge?—No.

Will you swear you have not?—I cannot swear it, but I say I never have to my knowledge.

Did you frequent that house?—I called there two or three times, I believe.

The First Trial.

Mrs Dyson

Did you know a person of the name of Goodlad?—Goodlad? Yes, did you know the pianist at the Star Music Hall, in Spring Street?—No.

[Mr. Goodlad was here called up.]

Look at that man, Mrs. Dyson.—I never remember seeing him before.

PRISONER—Call his master, call his master.

By Mr. CLEGG—Have you and the prisoner been to the Star Music Hall together?—I don't know it by that name.

Then I will ask you this question, have you been to a music hall together, and to a public-house?—He called it a picture gallery. I did not hear any music there. There was no music there.

Where was it?—It was in Sheffield.

Can you tell me whereabouts it was?—I could not tell you the street. I could not find it now.

Have you been to a public-house with him, where there was music and singing?—We were at his brother's public-house, and he said his brother was in some music hall. I believe so, I am not quite sure.

Have you been to a music hall held at a public-house, where there was some music and singing?—Not to my knowledge.

What?—It looked as if there was some music because there was a small stage, but there was no music in our time. It was early in the afternoon.

Have you not been at night when there have been music and singing, and that man who was called has been playing there?—No, I do not remember to have seen his face.

Do you know a public-house in Russell Street, Sheffield, called the Marquis of Waterford?—No. The public-house I am talking about now is in the street where the prisoner's brother lived?—I do not know it by name.

But do you know it now I have given you the place? Do you know where the prisoner's brother lived?—I do not know where he lived. He was in that public-house.

[Mr. Cragg was called before the Court.]

Do you know that man?—No, I never remember seeing him before.

That man is the landlord of the public-house that I have been talking about?—I never remember seeing him, but he may have been there and me not see him.

Have you been to several public-houses with Peace, and had something to drink with him at those public houses?—No, I had soda water.

By the STIPENDIARY—You do not deny that you have been to these public-houses?—I have been there.

But you have not seen these men that have been produced to your knowledge?—Not to my knowledge.

Charles Peace.

Mrs Dyson

Cross-examination continued—You have had some drink there?—I have had a bottle of soda water or pop.

Have you had something stronger than either of those two?—No.

How many times have you been with him to these various houses?—Only once.

Where?—The house where you speak of.

But I think you do not know it?—I have been to the house where his brother was.

But I am not talking of the place you call the picture gallery, I am talking of another public-house altogether?—Oh! I did not understand.

Have you been to more than one public-house with him?—I have been to the picture gallery and another place with him.

Those are two, and have you been with him to the Halfway House?—Not with him.

Or to the Duke of York's?—Not with him.

Have you and he been out of the town together?—Yes, he followed me one day to Mansfield.

Was any one with you?—Mrs. Paramore and her three children.

When was that?—The summer before we removed.

Was that about the time you had your photograph taken with him?—No, not about the time.

Was it before the Fair or after the Fair?—I cannot tell you exactly.

Don't take refuge behind “ Cannot tell exactly ”?—I cannot remember the date, and you don't want me to tell a lie.

I don't want you to tell me a lie?—It was in the summer some time.

Before or after the photograph was taken?—I cannot tell you exactly.

Can you tell me whether it was before the Fair or after the Fair?—Don't remember.

Oh, please, do try and remember?—Well, I can't, but I will find out for you.

Find out! But I want to know now?—I can't remember all this.

Was it before or after you had taken out the warrant?—Why, long before.

At the time you went to Mansfield had you any quarrel with prisoner?—Yes; I didn't want him to annoy me.

Had you had any quarrel?—Yes, because he was a nuisance to me.

That was before you had your portrait taken with him, when you went to Mansfield?—I don't remember.

Do you say it was two or three months before?—I didn't say two or three months; I said a while before.

The First Trial.

Mrs Dyson

What do you call a while?—A month or so—two or three weeks. It might be longer. I am not quite sure.

Before you took out this summons against him had you had any quarrel at all?—Not a quarrel, only that he was such a nuisance about the house, calling me a brute, and listening on the doorstep to our conversation.

[Prisoner here groaned, and asked for the surgeon. Mr. Hallam, the police surgeon, felt his pulse. He then suggested that his feet should be raised by being placed on a chair. This was done, and then prisoner lay back in his arm-chair, with his feet curled before him.]

Cross-examination continued—Had you any unpleasantness before you went to Mansfield?—He was a constant source of annoyance by his disagreeableness. He used to listen at the door, and jump over the wall, and be very disagreeable indeed. He was a constant annoyance.

What train did you go by when you went to Mansfield?—The afternoon train.

Where did you go after you got there? Was he with you?—He followed us, and came into the house just as we were sitting down to tea.

Do you know a person of the name of Kirkham?—Kirkham?

Yes, the man who used to deliver the milk to you?—Yes, I should know him if I saw him.

[Kirkham, a person about twenty years of age, was brought into the corridor.]

By the STIPENDIARY—Do you know him?—Yes, I remember his face.

By Mr. CLEGG—You know him now; there can't be any doubt about it?—I remember his face.

By Mr. POLLARD—Do you know him by name, or only know his face?—I only know his face.

Cross-examination continued—He delivered the milk?—He and his father.

Have you never given him notes, with instructions to deliver them to Peace?—I gave him two receipts Mr. Dyson gave out for picture framing.

What were they written on?—On paper.

In an envelope?—I don't know whether there was an envelope. I think only a piece of paper.

Have you not given him notes?—I have given him two receipts.

You know I don't care about receipts. I ask you, have you not given him notes?—No, no notes.

Little scraps of paper?—No, I have given him two receipts.

Where did your husband keep his address cards?—In his writing desk?

Locked up?—No.

Where was the writing desk?—In the sitting room.

Charles Peace.

Mrs Dyson

Had you no address cards?—I, myself?
Yes?—No.

Did you ever use your husband's?—No.

The prisoner had a daughter named Jane, had he not?—Jane Ann they called her.

Now then, look at that (showing her a card*). It is in the same writing as the other. Read out what it says (handing witness the card)?—I cannot read it, and it is not written very plain.

Then I will try and assist you; you can read?—Yes.
And you can write?—Yes.

This is what it says, then—“ After he is going out I won't go if I can help it, so see me. Love to Janey.” Now, then, will you venture to swear that you did not write that?—I did not write it.

Has that card been altered from “ Mr.” to “ Mrs.” Will you venture to say you did not use that address card, and alter that from “ Mr.” to “ Mrs.”?—I did not alter it.

It is on your husband's address card.—I am aware of that.

Now, do you know a little girl named Hutton?—I don't remember the name.

Do you know a Mrs. Hutton living in Britannia Road?—No, I don't remember the name, but I might know her if I saw her. I can't tell her by name.

Did not you go and meet him there?—No, I never did.

Were you never together in Mrs. Hutton's?—We called together one day when I was looking after a little girl to go errands for me.

Was it Mrs. Hutton's little girl?—Yes, I believe that was the name.

Now, didn't you use to give notes to this little girl? Will you swear that you never gave notes to the little girl to give to the prisoner?—I will swear it.

What do you write with generally, a steel pen or a quill pen?—It does not make much difference, though I usually write with a quill.

Well, write with a steel pen—“ I will write a Note when I can, perhaps to-morrow.” Yes, that will do: go on and write, “ You can give me something as a keepsake if you like, but I don't want to be covetous and take them from your Wife and Daughter. Love to all.”† You have not written this half as well as the first part.—It is the best I can do.

Now, look at this first line. “ I will write to you a Note,” and look at this card. Now, madam, will you swear that this is not your writing?—That is not my writing.

Will you swear that?—I say that it is not my writing.

Will you swear that it is not your writing?—I say that it is not my writing.

* See Appendix A, p. 173. † See Letter III., Appendix A, p. 173.

The First Trial.

Mrs Dyson

Now, I will go over these letters. Did the prisoner ever give you a ring?—Yes.

Did you write to acknowledge the receipt of that ring?—Not to my knowledge.

Had you any envelopes in your possession like this?—I cannot say.

Look it well over, please. It is important?—I cannot say.

Was prisoner living next door to you when he gave you that ring?—Yes.

[Mr. Hallam here felt Peace's pulse, whereupon the prisoner groaned a good deal. Mr. Hallam, however, found his invalid all right, and left him for a time.]

Now, then, first look at that letter—that envelope with the writing upon it. Is that your handwriting?—No, it is not my writing.

Did anybody besides you and the prisoner know he had given you a ring—I don't know. I guess his daughter knew, at least he said so.

Did you know whether the daughter could write or not?—I don't know. I guess she could.

Do you know about when that ring was given to you?—No, I can't remember.

You can't tell?—No.

Can you give me any idea about what time it was?—No, I can't remember.

How soon was it before you left Darnall?—I don't know.

Was it before you had that portrait taken, or afterwards?—I can't tell you.

No idea?—No, I can't tell you.

You can't give me any idea?—Well, no.

Very well; now then, listen to me. I am going to read a letter, and you follow me. "I don't know what train we shall go by, for I have a good deal to do this morning. Will see you as soon as I possibly can. I think it will be easier after you move; he won't watch so. The r—g (meaning the ring) fits the little finger. Many thanks and love to Janey. I will tell you what I thought of when I see you about arranging matters. I think it well. Excuse this scribbling." What is the next word, is it "hello"?—I don't know, I cannot tell.

Now, ma'am, you admit you have received a ring from him?—Yes, he gave me a ring.

Will you swear that is not a letter from you to him?—It is not from me.

Not after putting the ring on, and trying it on, and telling him the ring fits?—The letter is not from me.

Did the ring fit?—No.

Did you tell him not?—I did not keep it very long. It did not fit my little finger.

Charles Peace.

Mrs Dyson

Did you try it on?—Yes, I tried it, but I could not put it on. What sort of a ring was it?—I could not tell you exactly. It was not worth much.

What sort of a ring was it?—It had a few glass stones in it.

Do you remember the prisoner's foot being damaged?—No, I do not remember anything about it.

Do you remember his foot being injured about March, 1876?—No, I cannot remember anything about it.

Will you swear that you did not write this note to him (producing a letter marked No. 5)?* Is that in your handwriting?—No.

Mr. CLEGG—I will read it to you.

Mr. POLLARD—The witness keeps on saying she did not write the letters to him or the notes. I object that unless it is proved the thing is connected with the case it cannot be used. She denies that she wrote it.

Mr. CLEGG—I submit, then, sir, that you have a most curious coincidence. She admits that the ring is given to her by the prisoner, and yet she denies writing the letter in which this very ring is mentioned to him.

Mr. POLLARD—A ring?

Mr. CLEGG—Well, a ring—a ring that is given to her. And yet you have this fact, that those letters which have been put in by the prosecution had been dropped by the prisoner.

The STIPENDIARY—What does it all lead to?

Mr. CLEGG—It leads to this. This woman has sworn now, as she did previously, that she did not write any of those letters, and I am in a position to prove that she did.

The STIPENDIARY—She distinctly denies it. I did not, however, stop you when you said you would draw her attention to it, but I say that there is no necessity for going into the whole of it.

Mr. POLLARD—There can be no object in overhauling the contents of each of these letters.

The STIPENDIARY—You have quite enough evidence to damage her credit.

PRISONER (moaning)—I demand that justice be done; I demand that justice be done.

The STIPENDIARY (*to Prisoner*)—Don't you interrupt.

Mr. POLLARD—I will take your opinion, sir, on the subject.

The STIPENDIARY—I think enough has been gone into for the purposes of the preliminary examination. You can reserve the rest for the trial. I consider that enough has been gone into for the purpose of the preliminary examination.

Mr. CLEGG—Supposing that at the trial this man is not defended, a state of things which is not at all unlikely.

* See Appendix A, p. 173.

The First Trial.

Mrs Dyson

The STIPENDIARY—You know very well that in that case the judge would order some learned counsel to defend the prisoner. I am not going to deal with a state of circumstances that may arise at the trial. It would be presumption in me to provide for want of justice before the judges; it would be great presumption on my part.

Mr. CLEGG—This is a preliminary inquiry, and I can put in whatever I think is for the benefit of the prisoner. Though it is only a preliminary inquiry, I am bound to do it.

Mr. POLLARD—We are all subject to your approval.

The STIPENDIARY—I rule that sufficient has been asked about those letters.

Mr. CLEGG—I shall persist in asking them questions until I am stopped.

The STIPENDIARY—Then I stop them now. You have quite enough for your purpose.

Mr. CLEGG—I don't think I have.

The STIPENDIARY—You have quite enough. You can prosecute her for perjury, if she has spoken falsely as to what has been asked of her. There are two very particular points on which she has decisively spoken in reference to these letters.

PRISONER—She has done more than that.

The STIPENDIARY—You may, if you have cause, indict her for perjury. It can lead to nothing else.

Mr. CLEGG—I put it on this ground; I think I am justified in saying it is a question of credibility.

The STIPENDIARY—Quite so.

Mr. CLEGG—Then at present I don't think I have got sufficient, in my opinion, to test this witness's credibility.

The STIPENDIARY—In my opinion you have. If what you have asserted is shown to be true, you have more than sufficient to damage her credibility, and more than sufficient to have a cause for indicting her for perjury. Beyond that it is not necessary for you to go, and I rule you shall not go.

Mr. CLEGG—How can I indict the woman for perjury unless I put the letters in her hands?

The STIPENDIARY—She has looked at them, because I told her to look at them myself. I said to her, "Look at each one, and see if it is not in your handwriting?" That is in itself sufficient.

Mr. CLEGG—Those letters have been already produced by the prosecution. I have the right to call for those to be read, and if you will not now let me cross-examine her in reference to them in detail, I ask that the letters be read; then I can cross-examine upon them, and that comes to the same thing.

The STIPENDIARY—You should have done that before. It is too late now. I cannot have them read now.

Charles Peace.

Mrs Dyson

Mr. CLEGG—Put that decision on the depositions. I ask that those letters put in by the prosecution be read by the clerk of the Court.

The STIPENDIARY—You have seen them?

Mr. CLEGG—I have not seen them. I have not had the opportunity of reading these original letters. By mere favour I have had copies of them sent to me.

PRISONER (after a long groan)—It is nothing but injustice.

Mr. CLEGG—It is enough when this man is in the state he is to hurry on this trial in the way it is being done, but I did not object because I thought there would be a full inquiry, just as though the evidence had come out in public Court; but now it appears I am not to cross-examine.

Mr. POLLARD—Surely—

The STIPENDIARY—You will take the ruling of the Court, Mr. Clegg, if you please, and have done with it. You will take the ruling of the Court.

Mr. CLEGG—I put it to you as a matter of law.

The STIPENDIARY—I have given my decision, Mr. Clegg. You will please proceed with the case.

Mr. CLEGG—I object to proceed until these letters are read.

PRISONER—Hear, hear!

The STIPENDIARY—You can proceed with your cross-examination.

Mr. CLEGG—I will proceed with my cross-examination if you let me go on as I have done.

The STIPENDIARY—No, no; as to doing that, the time is past.

Mr. CLEGG—The time is not past, I submit, until the case is closed. It is not closed, and I have a right to have the letters read if I please.

The STIPENDIARY—You can read them over yourself if you like.

Mr. CLEGG—if they are put into my hands I shall read them to witness.

The STIPENDIARY—Then you may read them.*

Mr. CLEGG—Very well, sir; then that is all I want. The witness has denied that she had anything to do with them. (*To Witness*)—Have you read them?—Some of them.

Have you read them all?—Not all of them.

Then I will read them to you.

Mr. POLLARD—There will be no necessity for these being read aloud. Let the witness read them to herself.

The STIPENDIARY—She said she could not read them.

Mr. POLLARD—She would know if they were in her writing.

The STIPENDIARY—Mr. Clegg wishes to read them.

Mr. CLEGG—I did not wish to read them—only to the witness.

The STIPENDIARY—She said she had looked at them, but did not know them.

* The noble art of hair-splitting *in excelsis*.

The First Trial.

Mrs Dyson

Mr. POLLARD (*to Witness*)—Have you looked at them?—Yes.
And carefully?—Yes.

And are they in your handwriting?—They are not in my handwriting.

Mr. CLEGG—I will read this one to you now, if you please—“ If you have a note for me send now while he is out, but you must not venture for he is watching, and you can’t be too careful. I hope your foot is better. He went to Sheffield yesterday, but I could not see you anywhere. Were you out? Love to Jane.” Did you write that letter?—No.

Now, I put that letter in. Have you had an envelope in your possession like that (handing an envelope to the witness)?—I don’t know; perhaps I might have. As regards the envelope, the prisoner used to come for paper and writing materials to my house.

PRISONER—No, I did not—oh, no.

By Mr. CLEGG—Have you read the contents of this?—Yes, excepting something I could not make out.

Will you swear that is not in your writing?—I swear there are none of them in my writing.

Did you ever give the prisoner an American cent?—No.

Will you please write “ C. Peace ” upon a piece of paper?
[The witness did as desired.

Mr. CLEGG compared it with a paper in his hand, and then said to witness—You are in too big a hurry. I wish you would write it a bit slower. Don’t be in a hurry.

The witness wrote the word over again.

After comparing it with the paper in his hand, Mr. Clegg produced another paper which he said was marked No. 12, and was handed to witness.]

Have you seen that paper, No. 12?—I have seen it when I looked them over before.

Very well. Did you ever borrow any money from the prisoner?—No.

Not at all?—I never did

Have you read this paper that I put in, that I showed you last?—I have looked it over.

You say that this is not your writing?—I say so.

“ Things are very bad, for people told him everything. (Then there is something missed out.) Pick out the L.D.” Do you know what that means?—No.

“ Do keep quiet, and don’t let any one see you money send me some.” You did not write that?

You had a son named Willie?—William Henry.

How old is he?—Seven years old last December.

Did the prisoner ever give your son any halfpennies or coppers that you know of?—No, not that I am aware of.

Do you know a woman named Norton?—Norton. I seem to remember the name. I think I remember the name.

Charles Peace.

Mrs Dyson

Did you ever write this to the prisoner—"Mrs. Norton is raising hell about what I——(then follows a blank). Can you settle it, and send me a pint, that is—her to let me have a pint he is gone out come now for I must have a drink"?—No.

When you were before the magistrates last week you said that you left Darnall in consequence of the prisoner annoying you?—Yes, on account of his annoyance.

Had you seen him from July, 1876, up to the time when you left in October?—No.

Did you know where he was?—No, I did not. He made himself scarce on account of the warrant I had taken out against him.

And you did not know where he was?—Certainly not.

Did his family leave the neighbourhood before you left?—I don't know.

Now, as you did not see him from July to October, will you still say it was in consequence of his annoying visits to you that you left Darnall?

You were asked last time if you and your husband removed in the month of October, and you said that was in consequence of his (prisoner's) disagreeable visits?—I did not say visits.

What word did you use?—I can't remember. I didn't say visits.

What do you now say was the reason for your leaving Darnall?—Because we were afraid of him. That was the reason. We thought he might come in in the night. We thought we had better go where he would not know where to find us.

It was because you were afraid of him?—Yes, he had threatened both my life and that of my husband.

Was the sole reason you left because you were afraid of him?—Yes, and we were told that he visited Darnall in female attire.*

Can you tell me the names of any persons who told you that he used to go to Darnall in woman's attire?—There were many.

Tell me the name of one?—Mrs. Paramore, and others.

Was it in consequence of his visits that you left the place?—No, not because of his visits, for he took care not to let us see him.

Did you say that the prisoner had threatened to blow your brains out, and those of your husband?—Yes, I said that.

Will you say that he threatened to blow your husband's brains out?—Yes, I will swear that he threatened to blow out both my brains and my husband's.

Did you tell that before the coroner?—The case was not brought before the coroner.

Were you not examined before the coroner?—Yes, on the case of murder, nothing more.

Were you examined as to the death of your husband?—Yes.

* Peace certainly did on occasion masquerade as an old woman.

The First Trial.

Mrs Dyson

Did you say then that the prisoner had threatened your life at all?—Not that I remember.

Did you not, when before the coroner, say that there had been a quarrel between your husband and the prisoner?—I don't remember that.

Had there been a quarrel between them at the time you removed from Darnall?—The prisoner made himself very disagreeable.

Had there been any quarrel between prisoner and your husband?—I say he had been very annoying.

Was there any quarrel?—I can't say there was any quarrel, because my husband would not speak to him.

Have you ever received a letter from the prisoner at all?—No, sir. Oh! yes. I have received threatening letters.

Have you got them?—Mr. Chambers has them, I think.

I am now talking about the night of the murder. Previous to your going into the closet had your son been taken to bed, do you know?—Yes, sir.

Did you see the prisoner when you were in the bedroom?—No, sir.

Did you see him through the blind?—No, sir.

When you were coming out of the closet did you see the prisoner?—Yes, I did.

Did you say to him, "You old devil, what are you doing here"?—I don't remember saying anything to him, but he said, "Speak, or I'll fire."

I am not asking what he said to you, but what you said to him. Will you swear that you did not say, "You old devil, what are you doing here? I should have thought that you had brought enough disgrace upon me"?—I don't remember speaking at all. I was too astonished.

Did the prisoner say this—"I have come to try and see if I cannot get you to get your husband to come to terms, as I am away from my wife." Did he say that?—No, sir.

Did you say that you did not think your husband would settle it?—I did not speak to him that I remember.

Well, I am bound to put these questions to you. Did he say to you, "I will let you have the notes back again if you will get him to stay proceedings"?—No, sir.

Did you say, "You know very well he won't do it, as he has placed it in the hands of the lawyers"?—No, I did not speak to him.

Your husband then came up?—Yes.

How far was he from you and the prisoner before you first saw him?—About 2 or 3 feet.

Only 2 or 3 feet? Where were you then?—At the end, in the passage.

Charles Peace.

Mrs Dyson

How far is the passage from where you were to the closet?—Close by.

Well, how many yards?—I can't say.

How far were you from the closet door when you saw your husband?—Only 3 or 4 feet. I was just at the end.

Not more, then, than from the lane to the closet?—He came up the passage, and the closet is at the other end.

Yes, but you cannot see the closet from your door. Your husband came up. Whereabouts was the prisoner when he came up?—He was just at the end of the closet, at the side.

Walking away from where you were?—Moving towards the end of the passage.

Was he walking or running away?—He was not running, and he was not walking. He was going at a rather quick pace.

Was he walking pretty quickly away from your husband?—He was going down the passage.

Away from your husband?—Away from him.

Did your husband speak either to you or to him?—No.

Did they both get out of your sight?—No.

Did your husband try to get hold of the prisoner?—No, he was not close enough to him.

Did you say before the coroner this—"My husband followed him. I cannot say whether he attempted to get hold of Peace or not"?—Did you say that before the coroner?—I do not remember.

Were these depositions read over to you before you signed them?—If I have said it, it is correct.

Well, it is here so, and you have signed your name to it?—Yes.

You heard what I read to you just now about you saying that you could not say whether your husband attempted to get hold of the prisoner or not before any shots took place?—I cannot.

You cannot, and I suppose you will not, venture to swear that he did not try to get hold of him? You have already said that you cannot say, and I suppose now that you will not swear that he did not try to get hold of him?—I cannot say.

Can you tell me the height of your husband?—6 feet 6 inches.

When your husband was going towards the prisoner, did you hear him say, "If you don't stop I'll fire"?—No.

Did you see the prisoner on the ground?—How do you mean?

With your husband. Was there any struggling between your husband and the prisoner?—No, no.

How far were you away from them when your husband was shot, did you say?—A few feet off.

Did you hear the prisoner speak to your husband before he fired?—No, I did not. There was no speaking at all.

Did your husband speak at all?—No.

The First Trial.

Mrs Dyson

Not from the time he came out right up to the time he was shot!—No.

Never a word!—No.

Will you swear that your husband and the prisoner were not struggling together on the ground?—No, they were not struggling; they were not close enough together.

Did this take place in the passage?—The passage end, just before going down to the road.

By the STIPENDIARY—The turnpike road end or the other?—No, the passage end.

Cross-examination continued—What became of the lantern that you had?—I threw it down.

Before you saw your husband come out, had you the lantern still in your hand?—Yes.

Re-examined by Mr. POLLARD—I am not quite sure whether we have it quite clear. Are there some steps coming from the passage into the roadway?—There are one or two steps.

When your husband fell, in what direction did his head fall?—From the side of the passage.

With reference to the steps, how near to the steps did his head fall? Were his feet or his head nearest the steps?—His feet were nearest.

Near the two steps leading into the causeway?—Yes, in rather a slanting direction.

Had he moved at all? Did he take any steps forward after the bullet had struck him?—No, he dropped instantly.

At the time the bullet was fired, did you see whether Peace was down on the pathway of the causeway?—Yes.

Therefore he would be some few feet below your husband?—Yes. He was down off the steps on the causeway when he fired the second shot.

And you say he would therefore be some two or three feet below your husband's head at the time he fired?—Yes.

You were saying something about threatening letters?—Yes.

How many?—I know of two, and there were perhaps more.

Have you those letters?—Mr. Chambers, solicitor, has them.

Mr. Dyson gave them to Mr. Chambers.

You gave them to Mr. Dyson, your husband, and he gave them to Mr. Chambers?—Yes.

You don't know whether they are in existence or not? You don't know whose writing they were?—They were signed, as if from prisoner, and seemed to come from Germany.

JOHN PEARSON, police constable 235, examined by Mr. POLLARD—Do you know the prisoner?—I do.

How long have you known him?—Three or four years.

You remember the date of the murder of Mr. Dyson in November, 1876?—Yes.

Charles Peace.

John Pearson

Did you receive some instructions from your superior officer to go in search of the prisoner?—I did.

How long afterwards was it?—I received instructions the same morning, at half-past two o'clock.

That was the 30th November?—Yes.

Did you make diligent search for him?—I did, sir.

In Sheffield and the neighbourhood?—I did.

And Darnall, was that one of the places?—I did not go to Darnall.

Did you go anywhere else besides the neighbourhood of Sheffield?—On Monday morning, the 6th December, 1876, I went to Hull, by direction of the chief constable.

Did you make careful search for him there?—Yes.

Did you go to any place in Hull which you had any reason to know?—Yes, I went to 37 Collier Street.

Who was living there?—Peace's wife, I believe,—the same person who has been locked up here in the name of Hannah Peace.

Was she keeping a shop?—She was.

You failed to find him there?—I did.

Did you make any inquiry anywhere else?—I was in Hull six weeks, and during that time—

But did you go to any other towns?—Yes, I went from there to Goole.

Without success likewise?—Yes.

Anywhere else did you go?—No.

At the time was this reward bill issued?—Yes; I circulated these bills over Hull.

Cross-examined by Mr. CLEGG—Did you see them placarded?—Yes, I got copies from the chief constable, and went round with the poster to see them placarded.

Did you see them on the walls at Sheffield?—I did, sir.

And it is a bill authorising a reward of £100 for the arrest of Charles Peace, whom you charged with the murder of Arthur Dyson, and so forth?—Yes.

I suppose you did your best to find the prisoner, and didn't succeed?—I did so.

Mr. POLLARD said that was his case.

PRISONER—Cannot you call my witnesses? What is the use of my having witnesses if they are not called?

The STIPENDIARY—Listen to me.

PRISONER—I cannot have them called, then?

The STIPENDIARY—Oh, yes, you can. You first of all have to make a statement, and then if there are any witnesses to be called they can be called. Now, listen to me. The charge against you is that you wilfully and of malice aforethought did kill and murder one Arthur Dyson, on the 29th November, 1876. Having

The First Trial.

heard the evidence, do you wish to say anything in answer to the charge?

PRISONER—Yes, I wish to say that—

The STIPENDIARY—Listen to me. You are not obliged to say anything in answer to the charge. What you do say will be taken down and may be given in evidence against you on your trial. [The rest of the legal caution was then read to prisoner.]

Mr. CLEGG—If you take my advice you will simply say not guilty.

PRISONER—I say I am not guilty, and that justice has not been done to me. I can prove that I am not guilty. That is what I want. I want that. I want justice done to me. Why don't they let me call my witnesses? You are asking me, will my witnesses be called? Why should they not be called here? Why, because I have not the money to pay the expenses.

The STIPENDIARY—What is it you complain of?

PRISONER—I want my witnesses called to prove that I have really not done this.

The STIPENDIARY—Are there any witnesses to be called?

PRISONER—Yes, sir.

The STIPENDIARY—Are they here?

PRISONER—Yes, sir.

The STIPENDIARY—Then you must ask your solicitor.

Mr. ROBINSON—You say, “I say I am not guilty, and I want my witnesses called to prove I am not guilty.”

PRISONER—That is what I said. I have lots of witnesses who can prove that that base, bad woman has threatened my life, and has threatened her husband's life. But I can't talk to you, I am so bad. I feel very bad, but she has threatened to take my life often.

The STIPENDIARY—Is this what you say?

PRISONER—I say I am not guilty, and I say I have not justice done me to prove I am not guilty, and that I want my witnesses called. (Then loudly.) I say I can prove that I have not threatened her life. She has threatened her husband's, and she has pointed pistols and things at me. He has threatened hers as well.

The STIPENDIARY—Have you any witnesses to-day? You are not taking your trial to-day. This is only a preliminary examination.

PRISONER—I cannot have these witnesses, it seems, without I pay for them.

Mr. CLEGG—I say I don't intend calling any witnesses to-day.

The STIPENDIARY—Do you care to sign your statement? Would you like to put your name to the statement?

PRISONER—I will try. (To his warder, in a very rough tone of voice)—Let me be. (Then, taking up the pen.) I cannot see.

Mr. CLEGG—Just sign it there.

Charles Peace.

[Prisoner then rested his head on his arm and signed his name very deliberately, the capital initials "C" and "P" being particularly well flourished.]

The STIPENDIARY—You are committed to take your trial on this charge at Assizes at Leeds.

PRISONER—Will you let me sit before the fire a bit before I go? I am really very badly.

Mr. CLEGG—He complains of being cold.

PRISONER—You may put me in irons if you like, but put me near a fire.

The CHIEF CONSTABLE—The cells are warm enough. It is only in this corridor that there is so much air.

Mr. CLEGG—You will be warm enough in the cell.

PRISONER—I want to see you.

Mr. CLEGG—Yes, I will see you.

Prisoner was then removed to the cell, groaning most piteously, the energy he so lately displayed having suddenly left him. Afterwards, however, he gave instructions to his solicitor in a very firm and decided tone of voice.

XVI.

There cannot have been a more grim scene in criminal history than this of Peace's examination in the cold, draughty corridor, by candlelight; he was swathed in rugs, bandaged, moaning, groaning, cursing, expostulating.

The next day, Saturday, 25th January, he was removed from Sheffield and taken to Wakefield Prison by the 2.12 train. He was carried from his cell, laid upon a mattress in the police van, and covered up with rugs. In the same fashion, in the special carriage reserved for him in the train from Wakefield, he was taken to Armley Gaol, Leeds, and, finally, on the night before the trial, he was transferred to a cell beneath the Town Hall, Leeds.

It is unnecessary to quote all the voluminous correspondence indulged in by Peace between his committal and his appearance on the scaffold, but some must be given, as it sheds light upon the character of this extraordinary person.

Here is a letter from Wakefield to the so-called Mrs. Thompson—

My dear Sue,—This is a fearful affair which has befallen me, but I hope you will not forsake me,* as you have been my bosom friend, and you have oftentimes said that you loved me, that you would die for me. What

* She had done so.

The First Trial.

I hope and trust you will do is to sell the goods I left with you to raise money to engage a barrister for me, to save me from the perjury of that villainous woman, Mrs. Dyson. It will have to be done at once, and the money you send let it go to Clegg and Sons, 57 Bank Street, Sheffield. You must do it with all speed, as the Assizes commence 28th January. I hope you will not forget the love we have for each other. Do your best for me. I should like you to write, and come and see me if you could. I am very ill from the effects of the jump from the train. I tried to kill myself to slip all further trouble and distress, and to be buried at Darnall.— I remain your ever true lover till death,

JOHN THOMPSON.
CHARLES PEACE.

If this is genuine and undoctored, it shows Peace to be less grotesquely illiterate than is indicated by other productions of his pen.

Then this, to Mrs. Peace, who was staying with her married daughter, Mrs. Bolsover, at Darnall—

Her Majesty's Prison, Wakefield,
29th Jan., 1879.

Dear wife and children,—

I received your letter a few minutes ago. I am still very ill, and think I shall be no better in this world. You say in your letter that the people will not come forward and speak for me. I always told you to summon them, and not to ask them at all; and when they had once been in court the Treasury would have paid their expenses and compelled them to be at the assizes free of all expense to you. But now you have involved this expense on yourself, I think; but you must do your best for me.

I care for nothing but the villainous perjury of one man.

Write to me daily and let me know; and if you have any idea when I am going to be tried let me know, for I have no idea myself.

I wrote to Sue and have had an answer back. She is still living at * * * and they have got the things from her. She says she has nothing to make money of for me. I know she has plenty of things to make money of for me.

I have also wrote to transfer all property to Mr. Clegg. Order him to have the property in London sold for my defence and to prosecute any persons who are in possession of it.

I have also wrote to Mr. Beard, solicitor, to get money from Levy, and Mr. Beard says he will give £10; but Mr. Clegg says that he will not be enough; but I am going to write at once to London to Mr. Beard to get more money from Levy.

And you had better go and see Mr. Clegg to see if he is taking any steps to have this property sold.

I now conclude with my best love to all dear friends. I remain your affectionate and unhappy husband,

CHARLES PEACE.

Charles Peace.

The Leeds January Assizes opened on Thursday, 30th January, 1879, and a bill of indictment against Charles Peace, alias John Ward, forty-seven, joiner or carver or gilder, for the wilful murder of Mr. Arthur Dyson, at Sheffield, on the 29th November, 1876, was presented to the Grand Jury in the Crown Court, the Town Hall.

XVII.

On 4th February Charles Peace made his last appearance in public, and attended the last trial he was to hear—"a shabby, wretched-looking old man," he was described in the *Sheffield Daily Telegraph*, "looking as if hope had left him; grey hair, closely cropped; cheeks hollow; lips pale; but the eyes steely, keen, and restlessly watchful." Lord Stuart of Wortley, one of his counsel, says—"So far as I remember, he made no scenes; but I heard him muttering imprecations when certain witnesses spoke to his having given utterance to vindictive sentiments towards the murdered man."*

After Peace, the figure of interest was Mrs. Dyson.

These two only, the accused and the accusing witness, knew the whole truth for certain.

* Letter to me, 13th January, 1925.—ED.

THE TRIAL.

AT LEEDS ASSIZES,

TUESDAY, 4TH FEBRUARY, 1879.

Regina on the Prosecution of Jacob Bradbury, Police Inspector
at Sheffield.

Judge—

MR. JUSTICE LOPES.¹

Counsel for the Crown—

Mr. CAMPBELL FOSTER, Q.C.²

Mr. HUGH SHIELD.³

(Instructed by the Treasury; local agents for the Crown,
Messrs. Rodgers, Thomas & Co.).

Counsel for the Prisoner—

Mr. FRANK LOCKWOOD.⁴

Mr. STUART-WORTLEY.⁵

(Instructed by Messrs. Clegg & Sons).

¹Afterward First Baron Ludlow of Heywood, created 1897. Henry Charles Lopes (b. 1827; d. 1899). Recorder of Exeter, 1867; Q.C., 1869; M.P., Launceston, 1868-74; and Frome, 1874-76; Judge of High Court of Justice, 1876; of Court of Appeal, 1885-97.

²Thomas Campbell Foster (b. 1813; d. 1882). Q.C., 1875.

³Hugh Shield, Q.C. (b. 1831; d. 1903). M.P., Cambridge, 1880-85.

⁴Sir Frank (Francis) Lockwood (b. 1846; d. 1897). Q.C., 1882. M.P., York, 1885. Recorder of Sheffield, 1884. Solicitor-General, 1894-95.

⁵Now the Rt. Hon. Lord Stuart of Wortley. Charles Beilby Stuart-Wortley (b. 1851). Q.C., 1892. M.P., Sheffield, 1880-85; and Hallam Division, Sheffield, 1885, 1916.

Charles Peace.

Mr. JUSTICE LOPEZ took his seat at ten o'clock, accompanied by the High Sheriff (Mr. Aldam), there being also on the bench Lord Houghton, Sir James Ramsden, the Mayor of Leeds (Alderman Addyman), Mr. W. B. Denison, M.P., and others.

Mr. BROMLEY, the clerk of assize, demanded that Charles Peace, alias Ward, should be put to the bar. The prisoner was at once placed in the dock, to answer the indictment charging him with the wilful murder of Mr. Arthur Dyson, at Sheffield, on the 29th November, 1876.

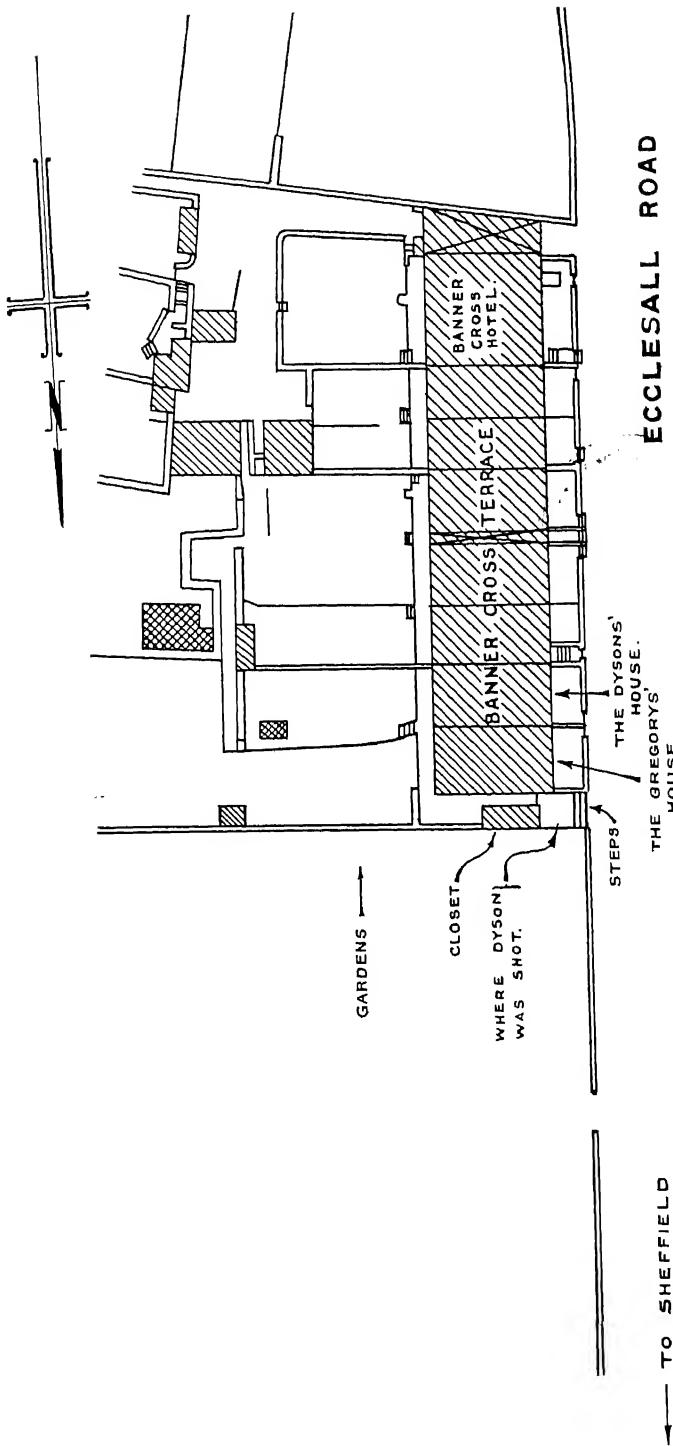
The PRISONER pleaded not guilty.

The following gentlemen were then sworn upon the jury:— John E. Allison, Edward Chandler, Charles Crabtree, Henry S. Smith, S. T. Craik, Charles Lee, Alfred Hartley, Frederick Mann, Thomas G. Mills, William Nettleton, William Town, William Volland.

None of the jurymen being challenged by the prisoner's counsel, the prisoner was accordingly given "in charge of the jury."

Opening Speech for the Crown.

Mr. CAMPBELL FOSTER—May it please your lordship—gentlemen of the jury, I cannot disguise from myself nor from you that this case, from the great public comment which has been made concerning it in the various newspapers, must come before you in one way or other calculated somewhat to bias your minds; and before entering upon the case I would beg and implore you, so far as you possibly can, to put from your minds—to put entirely out of your consideration, if you can—anything that you may have read about this case, and be guided entirely by the sworn testimony to be given before you to-day in arriving at a judgment as to the guilt or innocence of the prisoner. With these observations, I will now proceed to state to you what are the facts of the case to be established before you. It will be shown that previous to July, 1876, the man into whose death you are to-day inquiring lived at Darnall, a village about 3 miles to the east of Sheffield from the parish church, but now, from the extension of the town, one of the outskirts of Sheffield itself. Dyson and his wife lived in a row of cottage houses in that village, and next door, or next door but one, the prisoner resided with a woman who is, so far as is known, his wife. From being such very near neighbours, it would seem that the Dysons got to know the prisoner, who was in the habit of framing pictures and doing little jobs of the kind, and they employed him to frame two or three small prints and pictures which they had in the house. This led to an acquaintance between the prisoner and the Dysons; but Mr. Dyson seems at last not to have liked the persistent





Charles Peace, as
he appeared sitting in
the dock, when I defended
him for murder in 1879.
F.L.

Charles Peace on Trial.

(From a Sketch by Frank Lockwood.)

The Second Trial.

Mr Campbell Foster

familiarity with which Peace treated them, walking in at any time into the house of the Dysons, even during meals. This annoyed both Dyson and his wife, and, in consequence, shortly before 1st July, 1876, Mr. Dyson wrote on the back of one of his address cards—"Charles Peace is requested not to interfere with my family." This card was, I believe, thrown over the wall into Peace's garden, and that address card may become an important item for your consideration. The sending of this card seems to have created a bad feeling in the mind of Peace against Mr. Dyson, for it will be shown to you that on 1st July Peace, meeting Mr. Dyson in the road, suddenly commenced an assault upon him, attempting to trip him up and throw him down. Later in the evening, while Mrs. Dyson was talking to some neighbours about this extraordinary attack upon her husband, Peace came up and wanted to know if they were talking about him. He was told that they were. He asked Mrs. Dyson to repeat what she had said. She did repeat what she had said, and then Peace, apparently in a sudden burst of passion, produced a revolver, and, presenting it at her head, said he would blow her brains out, using bad language, and adding that he would blow out the brains of her husband too. In consequence of this outrageous threat, a summons was taken out against him. He did not appear on that summons, and a warrant was granted against him in the ordinary course. He seems to have known this, for from that time, the beginning of July, until the following October, he was not again seen in the neighbourhood, and the Dysons were not interfered with by him. But they kept an eye on him, and, for reasons which I need not go into, they apprehended a visit. His animosity had been unmistakably shown to both of them.

To be out of reach of his annoyance the Dysons determined to remove from Darnall. From Darnall to Banner Cross is a distance of 6 miles; about 3 miles to the west of Sheffield. Accordingly in October they took a house in Banner Cross Terrace, at Ecclesall, and on the 26th of October they sent their furniture in a wagon from Darnall to Banner Cross for the purpose of placing it in their new home. Mr. and Mrs. Dyson followed the furniture by rail, and on arriving at Banner Cross on the 26th of October, you will learn that on approaching their house they saw the furniture being unloaded, and the first person they saw coming out of the house was Peace. This was a surprise and somewhat of a shock. Some conversation took place between Mrs. Dyson and him, whereupon the latter said, "I am here to annoy you, and I will annoy you wherever you go." Mrs. Dyson told him there was a warrant out against him, and he replied that he did not care for the warrant, and he did not care for the police. That sort of conversation would tend to show that there was on his part the same bad blood, the same strong ill-feeling against both Mrs. Dyson and her husband which had existed in the previous July. On

Charles Peace.

Mr Campbell Foster

that day the prisoner went into the shop of a person named Gregory.

It will be convenient to place a couple of these maps in your hands (plans of Banner Cross Terrace were here handed to the jury), and you will, perhaps, be kind enough to follow me.* Now, gentlemen, you see the Ecclesall New Road, to the west of two houses marked Gregory's and Dyson's. Gregory's house, you see, is the last in the row. In front of these two houses you see two small forecourts leading into the road, and at the extreme corner you see a little square forecourt, and out of that forecourt there is an entrance passage, which leads to the back of the two houses. About midway down the passage you will see a place marked "closets." I think that is all. If you keep that before you, you will understand the subsequent explanation about what was done. The prisoner seems to have gone into Gregory's house about the end of October. Gregory keeps a sort of shop, and sells smallwares—tobacco and things of that kind—and Peace purchased some tobacco. Peace had a conversation of some little duration with Gregory. Mrs. Gregory was in the shop, but apparently not attending to what was said. She saw him distinctly at that time, and was particularly struck by his having a long talk with her husband. She saw him well, and, I think, served him with a paper of tobacco, which he required. He took the tobacco and left the shop. This was on the 26th October. They saw no more of the prisoner until the 29th November.

Now, I beg your careful attention to what took place on the 29th November. About seven o'clock he called at Mr. Gregory's shop, and he wanted to know if her husband was in. She told him that he was not, and he expressed some regret at that, because he said he wanted very much to see him. That was at seven o'clock. Mrs. Gregory will tell you that, when he left, something induced her to go to the shop door and look out, and she saw him about ten minutes after going down the road and loitering about. Soon after that a Mrs. Colgreaves was going up the road to Gregory's shop to make a purchase, and about 30 or 40 yards from the shop, as she will tell you, she met the prisoner in the road. He entered into conversation with her, asking her if she would take a message for him to Dyson's house, asking Mrs. Dyson to come out, and he made use of a coarse expression with regard to Mrs. Dyson. Mrs. Colgreaves refused to do so, and told him to go himself. That was about half-past seven o'clock. She passed him and went on, he walking alongside her for some distance, and she went into Gregory's shop, which is next door to Dyson's house. She did her shopping, and remained in the shop about ten minutes, and on leaving went down the road again. She will tell you that about ten minutes after she first met him, she again saw him loitering

* See map specially prepared for this volume, p. 112.

The Second Trial.

Mr Campbell Foster

about in the road. Very soon after this—and this brings us to about twenty minutes to eight o'clock—a man named Brassington saw this man Peace walking up and down the road in front of the Banner Cross Hotel, which is very near to Dyson's house, and on the same side. Brassington will tell you he was standing under a gas lamp, and that Peace passed him, walking to and fro up and down the road several times. At last he stopped and came up to him, and began to talk to him, saying, "Have you seen some strangers who have come to live in this neighbourhood?" To this he replied, "I don't know anything about them." The prisoner then began to speak about them in a disrespectful manner, and to say things which astonished Brassington. At last he handed Brassington a roll of bits, or half-sheets, of paper, which he wanted him to read by the light of the gas lamp, because he said "he wanted to show him what sort of people these Dysons were." Among these things was a photograph or two. Brassington told the prisoner he could not read, and that he did not want to look at them. He will tell you, gentlemen, that this was at eight o'clock, as near as he can tell. He will tell you that he and the prisoner were walking up and down, talking about these things for, as nearly as he can tell, about ten minutes, and that, therefore, when they parted it was about ten minutes past eight o'clock.

We have, therefore, the prisoner brought into the neighbourhood of the Dysons' house, and loitering about and speaking ill of them, until about ten minutes past eight. Now, you will learn from Mrs. Dyson that about that time, as near ten minutes past eight as she can tell, she had occasion to go to the closet, the position of which you will see from the plan which has been handed to you. To do so she put on her clogs and took a lamp with her, leaving her door open. To go to the closet she had to pass the back of Gregory's house. She went round the corner of Gregory's house to the closet. After being there a short time she opened the door, and saw the man Peace standing before her! He had in his hand a revolver, which he presented at her face, and said, "Speak, or I'll fire." The woman gave a sudden, loud shriek on seeing him, and, stepping back into the closet, slammed the door and fastened it. She will tell you that the next thing she heard was her husband's footsteps. Mrs. Gregory will tell you that she had heard Mrs. Dyson's clogs passing her window and going round the corner. Within two minutes of that she heard a loud shriek, coming apparently from the closet. She instantly went out of her house and called to Mr. Dyson, who had been attracted to the door by the noise. She said to Mr. Dyson, "You had better see to your wife." She herself, being alarmed, went into her own house again, and fastened the door. Mrs. Dyson will tell you that, on hearing her husband's footsteps coming round the corner and towards the closet, she became more

Charles Peace.

Mr Campbell Foster

bold. She opened the closet door, and advanced towards the end of the passage, towards Gregory's back door, on her way back. She had got 2 or 3 feet from the closet when her husband came up. He passed her, and she saw Peace going out of the passage by the front. He was a few steps from the front gateway of the passage. Her husband stepped after him. According to her statement, he was never near enough to touch him. Having just got out of the passage into that square forecourt which you see (referring to the plan), Peace faced round and fired his revolver, apparently at Mr. Dyson. The shot struck the stone lintel of the doorway at the entrance to the passage. Mr. Dyson continued to advance, but he did not get entirely out of the end of the passage. Peace, Mrs. Dyson will tell you, had got across the little square forecourt, from which there are a couple of steps into the road. Having got into the road, he again faced round and fired his revolver, and she saw her husband instantly fall. She shrieked out, and you will learn from the testimony of a person standing by, a young man named Whyman, that she cried out loudly, "Murder! You villain, you have shot my husband." A young man named Wilson was standing in the road at a little distance, and he will tell you he heard two shots fired, that he saw a man cross the road from the direction of Gregory's. You see the place in the map, marked "garden." The man got over the fence into the garden, and there disappeared from view. Mrs. Gregory will tell you about this same transaction. I am trying to follow the order of the case just as the things occurred, without following the particular evidence of any one witness. Mrs. Gregory will tell you that whilst this transaction was going on she heard two loud bangs almost immediately after Mr. Dyson had entered the passage. She did not know what they were. She then heard a scream and a great clattering of feet in the passage. Soon afterwards the poor man was brought into his house insensible and bleeding from the head. A surgeon was sent for—Mr. Harrison—and Mr. Harrison will tell you he found Mr. Dyson in a chair, in a room in his house, bleeding from the left temple. He will tell you Mr. Dyson died about half-past ten. He will tell you that the result of the post-mortem examination was that he found that a bullet had gone through the right temple, and had passed into the left lobe of the brain, where, upon examination, it was subsequently found.

A search was made in the garden, in the hopes of tracing the man who had committed this offence. You will learn from a police officer that Mrs. Dyson gave a very accurate description of the man Peace as the person whom she had seen do it. She gave his name, described him, and spoke of him as the man who had committed this offence. On going to the part of the garden where Wilson had seen the man run away, the officer found footprints—not of a very large foot—footprints without nails, and these foot-

The Second Trial.

Mr Campbell Foster

prints were traced to the wall which leads to the field. It was apparent that the prisoner, who had got over into the garden, had gone to a wall about midway (you will see it on the plan), and so got over this wall. Constable Ward got over the wall where the man climbed over, and attempted to track the man. Going in the proper direction, as well as he could suppose, he found upon the ground a small packet—a small bundle of papers tied together. On picking these up and looking at them, he found amongst them the very card upon the back of which Mr. Dyson had written, "Charles Peace is requested not to interfere with my family." Well, gentlemen, there can scarcely be a doubt that the person who had dropped these papers was the person who had had them in his possession, and the person in whose mind the card had created so much ill-will and ill-feeling as to cause him to threaten Mr. Dyson, and to put a pistol in the face of Mrs. Dyson, and who had dogged both their movements, as I have described to you.

Nothing could be heard of Peace again in November, 1876. The officers could find no trace of him. Nothing was heard of him until October of last year, when a policeman on duty at Blackheath (in the neighbourhood of London) found apparently a burglar making his way from a gentleman's dining-room window on to the lawn. The officer got over the wall on to the lawn, and, seizing the man, was fired at with a revolver five times by the person whom he had seized. One of these shots passed through his arm. The two struggled, the officer threw the man down, and, another officer coming to his assistance upon his outcry, the prisoner at the bar was taken into custody, being mastered only after a severe struggle for the revolver, which he still held in his grip, and which he gave up only after his head had been battered by the truncheon of one or other of the policemen. For that offence Charles Peace has been tried, and he is now suffering imprisonment for it. Gentlemen, I have told you there was a good deal of evidence against Charles Peace. It was at this trial that they discovered that they had found at last the man Charles Peace, who had committed the offence in November, 1876, and who had been so long sought for. Mrs. Dyson, after his apprehension, was looked for, and it was found that she had gone to America. She was sent for, and was brought over to this country, and, as soon as it was conveniently possible, she was taken to Sheffield to be examined for the purpose of identifying the prisoner and of his being committed for trial for the offence which I have just opened to you.

Gentlemen, there is a fact to be mentioned here, although perhaps it has very little weight in this case, but on his way to Sheffield Peace made a most daring attempt to escape from custody.

Mr. Lockwood—I don't know, my lord, how far my friend is justified in introducing this matter as part of his case. It is

Charles Peace.

Mr Campbell Foster

not a matter affecting the guilt or innocence of the accused. It would be affectation on my part to object seriously, because it has become a matter so notorious to everybody that no real harm could be done thereby to the unfortunate man whose interests are committed to my care. But I do protest, at the same time, to my friend introducing irrelevant matter.

Mr. JUSTICE LOPES—I think it is quite unnecessary.

Mr. CAMPBELL FOSTER—Very well, my lord. I thought it was relevant, my lord; but he had sufficient motive to escape.

Mr. JUSTICE LOPES—Quite so. It does not advance the case at all.

Mr. CAMPBELL FOSTER—No, my lord. Well, gentlemen, I have stated to you, I think, the whole facts. The revolver will be produced before you, which was taken from Peace at Blackheath. The bullet will be produced before you which was taken from the dead man's head. It will be shown to you that it has the same rifling as that of the revolver which was taken from the prisoner. The bullet is one capable of being fired from the revolver. Now, putting all these facts together, which will be put before you, it is for you to say, is that the man who fired the shot which killed Arthur Dyson? If you believe the evidence, which shows Peace hanging about the place from seven o'clock to ten minutes past eight, talking first to one person and then to another; if you accept Mrs. Dyson's evidence; and the evidence as to the tracing of Peace across the field, the finding of the packet of letters, amongst which was a card which unquestionably had been in the prisoner's possession—even without the evidence of Mrs. Dyson—you cannot disbelieve that that man (pointing to the prisoner) fired the shot that killed Arthur Dyson. Well, gentlemen, with what mind, or intent, did he do it? Did he do it maliciously? If he did, then he is guilty of the full charge contained in this indictment. With what object did he follow these people from Darnall to Ecclesall? With what object was he loitering about their house, telling Mrs. Dyson publicly, “I know you have got a warrant for me, but I do not care for it; I do not care for the police either”? With what object did he show Brassington the papers and tell him a scandalous story about these people? To what probabilities do all these things shape themselves? Do they not point to malice, to malignity, to hate against these Dysons? With what object did he carry a revolver? If he had prepared himself to do that which was unquestionably done by him—prepared himself to do it with apparently none but the motives which I have already glanced at—that he greatly disliked them, that he hated them, that he wanted to do something dreadful to them, that he wanted to do that which he told Brassington he would do, “to give them a warm one” and to “shoot them both before morning”—if those were his intentions according to his words and according to his acts, gentlemen, can you have any doubt that his was the hand

The Second Trial.

Mr Campbell Foster

which fired the fatal shot, and that the motive that prompted him to do it was malice? If you come to these conclusions, as being the only ones which the nature of the case permits, there is but one duty for you to perform, namely, to find that he did do these things—that he did commit the offence with which he is charged—that with malice aforethought he killed and murdered Arthur Dyson.

Evidence for the Prosecution.

CHARLES EDWARD JOHNSON, surveyor, Sheffield, examined by Mr. SHIELD, produced a plan of the premises at Banner Cross Terrace. Gregory's and the Dysons' house are the two last houses at the north end of the terrace, at the end nearest Sheffield, fronting Ecclesall Road. There is a backyard common to the two, going on the east at the back of the houses and turning round the corner at the north end of Gregory's house, and a closet there. The passage ends in a gateway which opens into a small court-yard, and this opens into the Ecclesall Road. There is a window from each house looking into the backyard. Britannia Road, Darnall, where Peace lived, was about 4 miles away—the places are on opposite sides of Sheffield.

Cross-examined by Mr. LOCKWOOD—Do you know the back of the house? It rises there steeply, does it not, from the wall that bounds the passage?—Yes.

What is there at the back?—Gardens.

And do you approach these gardens by steps—up the court-yard I have spoken of?—Yes.

How many steps are there?—Six.

Do you know the height of each step?—They usually rise about 8 inches.

But are these of the usual kind?—Yes.

Did you go into the gardens at all?—Oh, yes.

How many storeys has Dyson's house?—Two storeys and an attic. I have not been in the house. I believe there is an attic. There seems to be one, outside?—Yes.

Would it not be possible for any one standing in the garden, on account of the steepness with which it runs up, to see into the first-floor window?—Yes. They might.

Mr. JUSTICE LOPEZ—Of Dyson's house?

Mr. LOCKWOOD—Yes, my lord. (*To Witness*)—That passage that runs from east-west, I think, down to Ecclesall Road, how wide is it? Take it, first of all, at its most easterly point?—3 feet.

You give me from Gregory's house side to the boundary of the little grass plot?—To the garden edge.

But the passage itself is not bounded by a wall on either side until you get past the closets?—It is past the closets.

Charles Peace.

Charles Edward Johnson

Before you get to the end of the passage, or, rather, at the end of that passage, and at the beginning of the courtyard, is there not an archway?—A doorway covered at the top.

Did you know this man, Arthur Dyson, at all?—Yes.

He was a civil engineer, was not he?—He was.

He was an extremely powerful, athletic man?—A very fine man.

You mean physically fine—a big man?—He was big, but delicate.

By Mr. JUSTICE LOPES—A muscular man?—I should think so.

By Mr. LOCKWOOD—Was he tall?—6 feet 5 or 6.

KATHERINE DYSON, examined by Mr. SHIELD—I am the widow of Arthur Dyson, and I now live at 58 Harrington Road, Highfield, Sheffield. In the year 1876 I was living with my husband in Britannia Road, Darnall. Whilst living there I knew the prisoner, Charles Peace, and was acquainted with him. He lived the second door from us. He told me he was a carver and gilder and picture-frame maker by trade. He framed three or four pictures for me. He frequently came into our house.

How did your husband regard these visits?—

Mr. LOCKWOOD objected to this question as irrelevant, and Mr. SHIELD did not press it.

Examination continued—(handing the witness a card)—Do you know the writing on that card?—Yes.

Whose is it?—My husband's.

Do you remember his writing it?—Yes, I do.

What was done with the card after it was written?—I did not see, but my husband said he would give it to the prisoner, or put it where the prisoner could see it; but I don't know what he really did with it. After that the prisoner was not permitted to come into the house, but was continually annoying me and my husband. I and my husband removed from Darnall in October, 1876. Some time before that removal, in July of that year, something passed between myself and the prisoner. It was of a threatening nature on his part. He said he "would blow my brains out and those of my husband also." He had a revolver in his hand when he said that. There were some people standing by. The prisoner added, "There is death for six if they interfere. I know the names of the people who were standing by. They were Mrs. Padmore, Mrs. Sykes, James Sykes, and Mrs. Ingle. In consequence of that I took out a summons against the prisoner.

By Mr. JUSTICE LOPES—This took place in front of my house at Darnall.

Examination continued—It was about nine o'clock in the evening. The next morning, in consequence of the threat, I took out a summons against Peace. He failed to appear, so a warrant was taken out against him. We removed from Darnall on the 25th

The Second Trial.

Mrs Dyson

October, 1876, and went to Banner Cross. I remember the day when our goods were sent from Darnall to Banner Cross. I and my husband went to the new house together, and, on approaching it, found the wagon with our goods being unloaded. I know a man named Bolsover, and met him in the road. I knew he was an intimate friend of the prisoner Peace. He was, in fact, his son-in-law. I spoke to Bolsover, and after I had done so I saw Peace coming out of the house we were going into. The prisoner spoke to us, and said, "You see I am here to annoy you, wherever you go." He made use of some other disagreeable remarks, which I do not wish to repeat. I told him there was a warrant out against him. He said he did not care for the warrant or the police either. After he had said that he went down the road with Bolsover, muttering and talking together. That would be about half-past eight o'clock in the evening. The next time I saw the prisoner was on the 29th November. That was the night on which my husband was shot. I had occasion to go to the closet, at the north end of Gregory's house, shortly after eight o'clock. I had a small lantern in my hand. I had a pair of pattens, or clogs, on my feet. As I was coming out of the closet I saw the prisoner with a revolver in his hand. He pointed it at me and said, "Speak, or I'll fire." He was standing close by the closet door when he said this. I screamed, and banged the closet door to, myself inside. I next heard my husband's footsteps, which came across the yard, and I came out of the closet. I saw the prisoner go down the passage to Ecclesall Road. That would be from my husband. My husband followed him down the passage.

Just describe what next you saw?—When my husband came near him he fired.

When he fired, did you hear anything?—I heard the bullet hit the wall. I heard the noise of the bullet against the wall. He fired again immediately he got to the bottom of the steps leading on to the pavement, and my husband fell.

By Mr. JUSTICE LOPES—Where was your husband then?—Inside the passage, just at the top of the steps.

Examination continued—How far off was the prisoner?—2 feet, I should think.

Had you heard any talking between your husband and the prisoner?—None that I heard of.

Was there any talking?—No.

Was there any struggle between your husband and the prisoner?—No, my husband never touched him. After firing the second shot, the prisoner crossed the Ecclesall Road and scaled the wall on the other side and went into the garden beyond. To the right of the garden there is a field, separated from the garden by a low wall. Some neighbours then came up, and afterwards Dr. Harrison came.

Charles Peace.

Mrs Dyson

Mr. LOCKWOOD—Will your lordship kindly allow me to have the letters? I have not had an opportunity of seeing them before.

Mr. JUSTICE LORES—Yes; you will find twenty-three documents here. There were twenty-four, but the card has been taken. Perhaps, Mr. Foster, you had better give it to Mr. Lockwood.

Mr. SHIELD—We will put the card in.

Mr. JUSTICE LORES—They say they will put the card in, Mr. Lockwood. Do you object?

Mr. LOCKWOOD—It depends upon whose custody it is in. She identifies the handwriting, but that does not make it evidence. You must show the circumstances connected with the finding.

Mr. JUSTICE LORES—If you object, I think at present it is not evidence.

Mr. LOCKWOOD—At present I do object. I should think the more convenient course would be to call the person who has to produce them, and see how far it goes.

Mr. SHIELD—We will withhold it for the present.

Examination continued—You say Dr. Harrison came?—Yes.

Did your husband speak again?—No. He died about half-past ten o'clock the same night.

Cross-examined by Mr. Lockwood—Mrs. Dyson, where were you that night before you went out? Were you putting your little boy to bed?—Yes.

How old is he?—Seven years on the 11th of last December.

That's December, 1878. He was five years old then at this time?—Yes.

What room were you putting your child to bed in?—The back bedroom.

Was there a light in the room when you were putting your boy to bed?—Yes, I should not think of putting him to bed in the dark.

Your husband was downstairs reading, was he not?—Yes.

He was still reading when you went out?—Yes.

Did you say anything to him?—No.

Did you pass through the room where he was when you went out?—Yes, certainly.

When you heard him coming, did you come out of the closet?—Yes.

You went towards the Gregorys' to meet him. Is that so?—No.

You did not go down the passage towards Ecclesall Road?—No.

Then did you remain in the closet till he passed the door?—No. Both the closet and the passage are at the end of the house. The passage is a few feet from the closet.

Is the closet near the house end?—Yes.

Now, Mrs. Dyson, this is supposed to be a plan of the house you were then living in, and of Mrs. Gregory's house. Do you understand it?—Not very well.

The Second Trial.

Mrs Dyson

You see where the outhouse is marked in the plan. That shows also the distance from Mrs. Gregory's to the house end. Do you see that?—Yes.

It is some feet?—Well, may be some yards.

How far do you say it was in feet from the closet to where you met your husband coming round the corner?—4 or 5 feet.

And then he passed you, and went on in the direction of where you say the man Peace was?—Yes.

Now, we have heard that the passage he then got into was about 3 feet broad?—I do not know myself; I am not an architect.

You don't know; but we do. Could you see your husband in that passage?—Yes.

Well?—Yes, sir. Clearly; very distinctly, indeed.

Everything that he did?—Yes.

What pace was he going at?—To whom are you referring?

Your husband?—He was going rather slowly—at a walking pace.

Did I understand you to say, in answer to my learned friend just now, Mrs. Dyson, that you are prepared to swear that your husband never touched that man (the prisoner)?—He never touched him.

You are prepared to swear that?—Yes.

Are you prepared to swear that he did not try to get hold of him?—I can't tell you what was in his mind.

No, no; I am not speaking of what was in his mind, Mrs. Dyson. I am speaking as to whether or not he did anything?—He did not do anything, because he did not come close enough to him.

You say he did not do anything?—He did not get close enough.

If you are so certain of this before, Mrs. Dyson, how was it you swore before the magistrates—you remember being examined before the magistrates?—Yes.

Were you then quite as certain as you now are about this?—Yes.

Sure?—I feel I am.

You feel! Are you sure?—I believe I made the same statement I am making now.

When you were before the magistrates did you say this: "I cannot say that my husband did not get hold of the prisoner"?—I don't recollect saying so. I say I don't know what was in his mind. If I have said so, it was correct.

I am not speaking of what was in his mind. I ask you now, Mrs. Dyson, do you remember, when before the magistrates, being asked whether you remembered saying before the coroner that you could not say whether your husband attempted to get hold of the prisoner?—I may have said so.

That is not an answer to my question. I ask you again, Mrs. Dyson, do you remember that question being put to you before

Charles Peace.

Mrs Dyson

the magistrates?—I fancy I remember the question being put, but I think I gave the same answer as now.

That, again, is not an answer to my question?—I can't give you any better answer than that.

I think you can?—No, I can't.

You remember the question being asked you?—No; I can't say I do.

By Mr. JUSTICE LOPES—Is it a fact you don't recollect whether your husband got hold of the prisoner?—I know he did not, because he was not near enough.

Cross-examination continued—Do you remember being before the coroner?—Yes.

Did you then say, “I can't say whether he (meaning your husband) attempted to get hold of Peace or not”?—I can't recollect saying so; but, if I have said so, it is correct. What I said then was true.

Are you now prepared to swear that your husband did not attempt to get hold of him?—I can't swear that; but I can swear he did not get hold of him.

That we will come to. Do I understand you, Mrs. Dyson, to distinctly swear that?—That he did not get hold of him?

Yes?—No, he did not touch him.

That you will swear?—Yes.

When did you first become so certain about this?—I was certain of it all the time.

All the time?—Yes.

Were you certain about it on the 24th of January last?—The 24th of January last?

Yes?—I knew all the time.

Just answer my question. Were you certain about this on the 24th of January last?—Yes. I was as certain as I am now.

Just so; as certain as you are now. When you were before the magistrates did you say this—“I can't say that my husband did not get hold of the prisoner”?—I can't say as he did. I cannot say he did not try.

No, no. When you were before the magistrates did you say this—“I can't say that my husband did not get hold of the prisoner”?—You have not put in that little word “try.”

That is on the deposition. Do you remember the deposition being read over to you?—Yes.

You remember signing it?—Yes.

Will you look at that (handing deposition to witness)?—I have done so; it is not necessary.

I would rather you did?—It is not necessary, thank you.

By Mr. JUSTICE LOPES—That is your signature, and it was read over to you before signing?—Yes.

Mr. JUSTICE LOPES—Read the words again, Mr. Lockwood.

The Second Trial.

Mrs Dyson

Mr. LOCKWOOD—"I can't say my husband did not get hold of the prisoner." (*To Witness*)—Do you remember saying those words?—I said, "I cannot swear my husband did not try to get hold of him."

Do you remember saying those words I have put to you?—The word "try" is left out.

Do you remember saying the words I have put to you?—I can't say I do.

Will you swear you did not?—I won't swear I did not, because it is written down.

Have you seen anybody, between that time and this, as to that piece of evidence?—No; I don't have any communication with anybody.

Nobody?—No.

Not a soul?—No.

Having read what I have put in your hands, will you now, Mrs. Dyson, pledge your oath that your husband did not get hold of this man?—I say he did not get hold of him.

You say he did not?—He did not, because he was not near enough to him.

Did you give the reason when you were before the magistrates?—Did I give the reason?

Yes?—They didn't ask me for it.

Do you mean to say that you were not cross-examined about this?—Yes, I was.

You remember that. Do you remember being asked whether you could swear as to this?—Yes.

And what did you say?—I said it was the truth.

When you were before the magistrates, do you mean to say you told the magistrates that you could swear your husband did not get hold of Peace?—I did so. He did not get hold of him.

Did you swear that?—I said he was not near enough to him.

Answer my question. Do you mean now to say that when you were before the magistrates you swore that your husband did not get hold of Peace?—I do not remember swearing it, but what I have said is correct.

Do you remember being asked the question?—Yes.

What was your answer?—I expect it is written.

You expect it is written? I have put your deposition into your hand to refresh your memory with. Now, can you tell me what your answer was?—Such as what is before your eyes, I expect.

Do you mean to say that when you were before the magistrates you expect you swore that your husband did not get hold of the prisoner? Is that what you mean?—I could not swear that he did not try to get hold of him.

Charles Peace.

Mrs Dyson

Did not you also swear that he did not get hold of him?—I do not know. If I have said so it is correct. Whatever is put down is correct.

By Mr. JUSTICE LOPES—Whatever you said before the magistrate is correct?—Witness nodded assent.

Cross-examination continued—Did you notice how your husband fell?—Yes, on his back.*

Did anything touch him before he fell on his back?—No.

Will you swear that?—The bullet touched him, of course.

I did not ask you that. Did this man (pointing to Peace) touch him with his fist?—No, the bullet touched him.

After the first shot was fired, will you swear your husband did not come up and take hold of this man?—He did not take hold of him.

Did he not catch hold of him by the arm?—No.

Wait a moment. Did he not catch hold of him by the arm which held the revolver?—No.

And did not Peace strike your husband in the face with his fist about the chin and nose?—No.

Will you swear that your husband was not touched in the face by him?—He was not touched in the face by him; it was by the bullet.

May I ask you, Mrs. Dyson, how long you have known Peace?—Four years or more.

Do you mean from the month of November, 1876?—No, from the first time I saw him at Darnall; the entire time.

Up to the present time?—Witness nodded assent.

Did you make his acquaintance, or was it your husband?—That I am not prepared to tell.

What do you mean by saying you are not prepared to tell?—Well, that I cannot tell exactly. He was living next door.

He lived next door?—Next door but one.†

When did your husband begin to dislike him?—In the spring, before we left Darnall.

In the spring of 1876?—Yes.

Was he jealous?—No.

Do you remember a photograph of yourself and this man?—Yes.

When was that taken?—It was taken at the Sheffield Fair.

* A shot man almost invariably falls forward, on his face, unless there is something to throw him backward. This seems to confirm Peace's contention that there was a struggle.

† There was an empty house between the Dysons and Peace, in the garret of which the latter asserted he used to meet Mrs. Dyson for immoral purposes. Mr. Lockwood's cross-examination was an effort to prove that the connection between the two was much more intimate than the lady admitted.

The Second Trial.

Mrs Dyson

How came you and the prisoner to be photographed together?—We were not photographed together. The children were with us.

And were the children photographed too? You don't mean to suggest, Mrs. Dyson, do you, that the children were photographed in the same picture with you?—Not in the same.

The children were taken also, were they not, but they were taken separately?—They were taken separately, on another card.

What Fair was this?—Sheffield Fair.

Was it in the summer of 1876?—Yes, or the year before.

Do you remember being examined about this before the magistrates?—Yes.

Attend to me for one moment. Did you say this—"I had not been with him to the Winter Fair"?—I had been with him to the Summer Fair.

Would not that be the Summer Fair of 1876? You had only known him ten months in November, so you could not have known him in the summer of 1875. That must be so, must it not?—I suppose it must.

Come, it does not require much thinking. You say you first made his acquaintance in 1875. You had known him for a year at the outside in November, 1876, you say?—Ten months, or a year, I said.

Then you could not have been with him at the Summer Fair of 1875? Will you swear you did not go with him to the Summer Fair of 1875?—I cannot swear it, because I am not prepared to tell you.

Then we must go back to how long you had known him in November, 1876. How long had you known him then?—Only about ten months.

Then you first made his acquaintance at the earliest in November, 1875. That must be so, must it not?—(No answer.) Now, Mrs. Dyson, that must be so, must it not? You said that in November of 1876 you had known him for ten months, or a year. Then you could not have been with him in the Summer Fair of 1875?—(No answer.)

The Summer Fair, when you had your photograph taken, was in 1876, was it not? Is not that so?—I am not quite certain about it.

Must not that have been so, Mrs. Dyson?—(No answer.)

Why will you not answer this question?—I cannot answer it, for I am not quite sure.

Was it at the Summer or Winter Fair?—(No answer.)

If it was in the Summer Fair of 1876, how comes it, Mrs. Dyson, that you were at that Fair being photographed with the man with whose conduct your husband was dissatisfied in the spring of that year?—(No answer.)

Can you explain that to the jury?—I can't. I think there is a mistake in the date, sir.

Charles Peace.

Mrs Dyson

A mistake in which date?—In the date of the Fair.

It was the Summer Fair, was it not?—I am not quite sure; I can't say.

Do you mean to say you are not now quite so certain about it as you were five minutes ago?—I am not quite sure, but I think it was the Summer Fair.

The Winter Fair, you know, in 1875, would be just when you made his acquaintance, would it not? Or perhaps you had not made his acquaintance then?—To the best of my remembrance it was in the spring of the year when he first came to Darnall.

By Mr. JUSTICE LOPES—In what year?—In 1875. I would not be quite certain; I am not quite sure about it.

Cross-examination continued—The spring of the year 1875?—I think so.

Do you know that?—I am not quite sure that it was in the spring of that year.

Did you know him, then, when he first came to Darnall?—No.

Do you still adhere to your statement that in November, 1876, you had only known him for a year or ten months?—A year or ten months, to the best of my knowledge.

Is that correct?—I won't say it is quite correct.

You will not say it is quite correct?—No, because I am not quite certain.

Was it more than a year?—It might be.

By Mr. JUSTICE LOPES—Then in November, 1876, you may have known him for more than a year?—Yes.

Cross-examination continued—Do you mean to suggest, Mrs. Dyson, that you have known this man since the spring of 1875?—I say I am not quite sure as to dates, and I am not fit to say.

You must excuse me, I think you underrate yourself there?—I am not quite sure of the date or the time of the year.

Do you mean to say, now, you may have known this man since the spring of 1875?—Yes, I may have; but I won't be quite certain, because I have travelled, and been knocked about a good deal since, and I forgot things.

When did you remove to Darnall?—I cannot tell.

About?—I cannot tell.

What year?—I cannot tell you that.

Do you really mean that?—Yes.

That you cannot tell the jury the year you went to Darnall?—No, I cannot.

Was it 1876?—I cannot tell you.

1875?—I say I cannot tell.

1874?—I say I cannot tell.

1873?—To be certain, I could not tell you.

Do you mean to say you cannot tell within three or four years when you went to Darnall?—No, I cannot tell you what year it was, to be quite certain.

The Second Trial.

Mrs Dyson

By Mr. JUSTICE LOPES—Cannot you tell to three or four years?—Oh, I could tell you within three or four years.

Cross-examination continued—Do you remember being examined before the coroner?—Yes.

Was that in December, 1876?—Yes.

Did you swear this—“I have been married to my husband ten years”?—Yes.

“And we were married in Cleveland, Ohio, America”?—Yes.

“We came over here three years ago.” Is that correct?—Yes.

“And first lived with his mother at Tinsley”?—Yes.

How long did you live with his mother at Tinsley?—A year or more, perhaps.

Do you swear that you lived with her more than a year there?—I cannot be quite sure. Perhaps a little more, or perhaps a little less. I can't tell exactly to a month or two.

You think it was about a year?—To the best of my belief.

Did you then say this—“We moved to Highfield, Sheffield, about two years ago”?—Yes.

That, you see, would be about December, 1874? “From there we removed to Alexandra Road, Healey”?—Yes.

How long did you live at Highfield?—Three or four months. Not more?—I don't know.

A year?—No.

Half a year?—Not quite.

You then removed to the Alexandra Road, Healey. How long did you live there?—About four months.

And from there you went to Darnall?—Yes.

That would take you to Highfield, at Sheffield, in December, 1874, so it must have been about the end of 1875, or at any rate about eight months would have gone of 1875 when you went to Darnall, because there was about half a year at Highfield and three or four months at Alexandra Road?—I cannot be quite sure about the month.

That being so, about eight months would have gone of 1875 when you went to Darnall. Having given you that information, all of which you gave the coroner and appear to have forgotten—

Mr. CAMPBELL FOSTER—Don't say that.

Cross-examination continued—Do you say or do you not say that you went to Darnall at the end of the year 1875?—I don't remember the date.

But do you mean to say now you cannot remember?—No, I cannot.

How long after you had been at Darnall was it that you first got to know Peace?—We were there a few months before he came.

[The prisoner here made some remarks to the warders which caused them to laugh.]

Charles Peace.

Mrs Dyson

You say the prisoner framed some photographs, or, rather not photographs, four pictures for you?—Yes.

Do you remember some conversation about his framing a portrait of your husband's mother?—Yes.

Did you wish Peace to frame it?—I asked him to frame it.

Do you remember writing a letter to him?—No.

A letter asking—

Mr. CAMPBELL FOSTER—The contents of the letter I object to.

Mr. LOCKWOOD—You are too precipitate.

Mr. JUSTICE LOPES—She may be asked the contents of the letter. The letter may be read, and she may be asked the contents. No doubt Mr. Lockwood will be bound by her answer. What may happen afterwards is another matter. You may take a document and put it to the witness, and say, “Did you write this?”

Mr. CAMPBELL FOSTER—Suppose, my lord, she says no; can you read a document and say it is evidence?

Mr. JUSTICE LOPES—He is bound by her answer.

Mr. CAMPBELL FOSTER—You may as well read the Song of Solomon or the 100th Psalm.

Mr. JUSTICE LOPES—Mr. Lockwood is perfectly justified in saying, “Did you write this?”

Mr. CAMPBELL FOSTER—So far, I don't object.

Mr. JUSTICE LOPES—Well, that is all he asks for.

Mr. LOCKWOOD—Never mind Mr. Foster saying you did not write it.

Mr. CAMPBELL FOSTER—I did not say that. She has answered that.

Mr. LOCKWOOD—However could she say so when I had not shown the letter to her? (*To Witness*)—Now, Mrs. Dyson, you say you remember wishing Peace to frame your husband's mother's portrait?—Yes.

Did you mention it to Peace?—I don't know; he was framing the others.

Did you mention it to him?—To him or to his daughter. I am not quite sure which.

When was it you mentioned it to him?—I cannot tell you exactly.

Did you write and ask him to send it?—No.

Did he ever send it?—Send what?

Why did you not ask him why he did not send it?—I don't know.

Did you ever write telling him to send it?—No.

Then, for all you know, he was never told not to send it?—I don't know anything about that.

(Handing witness letter No. 6)—Will you look at this letter, please? Have you looked at it?—Yes.

Do you say that it is not yours?—It is not mine.

The Second Trial.

Mrs Dyson

By Mr. JUSTICE LOPES—That is not your handwriting?—No.

Cross-examination continued—Do you know whose it is?—I don't know.

Is it anything like yours?—That I could not tell.

(Handing witness letter No. 3)—Will you look at that? Is that yours?—No.

Look at both sides?—I have looked at them before.

(To Mr. Justice Lopes)—I think your lordship has a document which I have not got here.

Mr. JUSTICE LOPES—No, I have given you every document I had.

Mr. Lockwood—When this case was before the magistrates, the gentleman who appeared on behalf of the prisoner dictated to this witness some words which were written down by her, and, as I understand, they were marked. They should be on the depositions, my lord. Here is the paper; this should clearly have been on the depositions. It is initialed by the magistrate.

(Paper handed to witness)—Is that your handwriting?—Yes, that is my handwriting.

Did any one, excepting yourself and your husband and the prisoner, know you wanted that picture of your husband's mother framed?—His wife and daughter knew.

Had you talked to them about it?—I had mentioned it to his daughter.

Do you remember going on an occasion to Mansfield?—Yes.

When was that?—In the summer before I removed.

That is the summer before October, 1876?—Yes.

What month?—It was in the summer. I don't remember the month.

Who went with you?—Mrs. Padmore and the children.

Had you told him you were going?—No.

Did you write—

Mr. CAMPBELL FOSTER objected.

Mr. JUSTICE LOPES—He can ask—did you write to this effect?

Cross-examination continued—What train did you go by to Mansfield?—By the afternoon train.

What time?—I cannot tell; after dinner.

Did you ever write to Peace saying you thought you would go by the nine o'clock train?—No, I did not.

Did you tell him he "must not go by train, because he will go down with me"?—No.

"Don't let him see anything of you." Did you write that?—No.

"Meet me in the Wicker." Did you write that?—No.

"Hope nothing will turn up to prevent it. Love to Janey."

Did you write that?—No.

Did you write that (handing her letter No. 19)?—No.

Charles Peace.

Mrs Dyson

By Mr. JUSTICE LOPES—Is that your handwriting?—No, none of them are; I have looked at them before.

Cross-examination continued—Were you in the habit of dealing with Francis Walker, wholesale and retail grocer and Italian warehouseman, who carries on business in High Street, Attercliffe?—No, I never bought any groceries there.

Did you ever deal at his shop?—No, I did not. I don't know such a person.

When you got to Mansfield, Mrs. Dyson, the prisoner was there, was he not, to meet you?—Yes.

You had never told him?—No.

Can you tell me how he had got to know you were going?—I cannot. But he was constantly following me about.

Do you remember this man (the prisoner) giving you a ring?—Yes.

When was this—when did he give it to you?—Some time in the winter.

In the winter?—I don't know what time.

Can you remember what year it was?—No, but I remember the incident.

Do you remember the incident?—Yes.

You know, Mrs Dyson, you are able to remember going by an afternoon train on one particular occasion; how is it you cannot actually tell me the year in which a ring was given you? Think?—I don't remember. I cannot remember. It was a small matter; it was not worth remembering.

The ring was a small one?—The incident altogether was a small one.

You remember it. When was it?—I cannot tell.

Do you think it was in the winter?—I don't know; I cannot say.

Was it before you were photographed together, or after?—That I cannot tell you.

Did you show it to your husband?—I don't remember, because I threw it away after I got it.

Why did you throw it away?—Because it was not worth keeping.

You had this ring given you by him. You did not show it to your husband?—I say I cannot remember; I threw it away.

When did you throw it away?—Next morning.

Did the ring fit you?—No.

Did you ever write this to him?—“I don't know what train we shall go by, for I have got a great deal to do this morning. Will see you as soon as I possibly can. I think it will be easier after you move. He won't watch so. The r—g (I suppose that means the ring) fits my little finger. Many thanks. Love to Janey. I will tell you what I thought of——when I see you about

The Second Trial.

Mrs Dyson

arranging matters. I think it well. Excuse this scribbling. Love." Did you write that?—No.

Did you ever tell him that the ring would not fit, except the little finger?—No.

Are you now, Mrs. Dyson, prepared to swear that you did not write to acknowledge that ring?—I did not write to acknowledge it.

When you were before the magistrates did you say this—"I did not, to my knowledge, write to acknowledge the receipt of the ring"? Were those the words you used?—I cannot tell you exactly; but, if I did say so, it is correct.

Mrs. Dyson, just before I leave the letters, let me ask you, do you prefer to write with a steel pen or with a quill pen?—It makes no difference.

Then you shall have a steel pen. Will you please write what I now dictate to you: "I write you these few lines to thank you for all your kindness, which I shall never forget. I will write you a note when I can."

(The paper containing these words, written by Mrs. Dyson, was handed to Mr. Lockwood, who compared it with one of those alleged to have been written by her.)

Is that your best writing?—Yes.

I believe that on one occasion you have told us—at least not to us here, but you said it at Sheffield—you went to a public-house with this man?—Yes.

When was it?—I don't remember the date.

What year?—I think it was the year we moved in—in the early part.

Not the summer, was it?—In the summer or early spring.

In the summer, you say, before you left?—I say I can't remember the date, but I went one time.

Can you tell me where that public-house is?—In Sheffield.

Mr. CAMPBELL FOSTER interposed here, asking to be allowed to look at the words just written by Mrs. Dyson at Mr. Lockwood's dictation.

Mr. JUSTICE LOPES (*to Mr. Lockwood*)—I think he is entitled to look at it?

Mr. Lockwood—I think after a time—but at present I would rather not.

Mr. JUSTICE LOPES—If it is more convenient for you that Mr. Campbell Foster should look at it afterwards, all right. But as you have used it, he will be entitled to look at it presently.

Mr. Lockwood—Until I make some use of it, it is not before the jury, and my learned friend is not entitled to look at it.

Mr. JUSTICE LOPES—That is so. If you have made no use of it, I don't think Mr. Campbell Foster is entitled to look at it, but directly you do make use of it, he will be entitled to look at it.

Charles Peace.

Mrs Dyson

Cross-examination continued—Was that after your husband had become dissatisfied?—No.

He became dissatisfied after that?—Yes.

Was it in consequence of that that he became dissatisfied?—No.

Are you sure of that?—Yes.

Did you tell him that you had been into a public-house with Peace?—I told him I had been to a picture gallery.

Did you tell him you had been to a public-house with him?—It is a public-house and picture gallery combined.

Did you tell him you had been there?—Yes.

Was it after that he became dissatisfied?—I cannot say exactly.

But you just now said that it was?—I think it was.

Do you know a public-house called the Marquis of Waterford, in Russell Street, Sheffield?—Not by that name.

Do you know a public-house which is in the same street as the prisoner's brother lived?—I know there was a public-house in the same street as where a man lived who the prisoner introduced to me as his brother.

You know the house?—I know it, but not by name.

Did you know a man named Cragg, the landlord of it?—No.

Have you ever been to a public-house in that street with the prisoner and had a drink with him?—I have been to a public-house in the street where he said his brother lived, and had a bottle of “pop” (soda water) with him.

That was in the picture gallery place?—No, it was not.

Then this is two places you have been to with the prisoner?—Yes.

Do you know Cragg?—No.

[Cragg was then called into the Court.]

Look at Cragg. Will you swear, Mrs. Dyson, that you have not been with Peace to a public-house called the Marquis of Waterford, Russell Street, Sheffield, several times?—No; I have been there on one or two occasions.

With Peace?—Yes; I have been once or twice with Peace. I am not sure about twice, but once, I know.

You are sure once, but are not sure you have not been there more?—No.

By Mr. JUSTICE LOPES—That is the Marquis of Waterford, in Russell Street, Sheffield?—I don't know it by that name.

Cross-examination continued—You say you may have been once or twice?—I am sure of once; I may have been twice.

When you were there with Peace, has he not paid for drink for you?—I have had a bottle of “pop,” which he paid for.

Do you always have a bottle of “pop”?—I have been there, and had a bottle of “pop” once.

More than once?—I cannot say. I am not prepared to say.

The Second Trial.

Mrs Dyson

But think?—I cannot think.

Perhaps you will not swear that you have not been more than twice?—I will swear that I have been once.

So will I, but I ask for more than once?—I cannot say.

You say once or twice. Will you swear that you have not been on several occasions with Peace?—Not on several occasions. But I am quite sure of once.

Will you swear that you have not been six times?—I swear that I have not been six times.

Four times?—No.

Three times?—No.

Twice then?—I cannot say for that; I know of once, but I cannot say for any more.

Do you remember when this was?—I don't remember the date.

Did you tell your husband?—I told my husband I was at a picture gallery, and that Peace introduced me to a man he called his brother.

Did you tell your husband you had been to a public-house called the Marquis of Waterford, in Russell Street?—I do not know it by name.

Did you tell your husband that you had been to a public-house?—Yes.

Was that before he became dissatisfied?—I don't remember.

But do you mean to say you have gone to this public-house with this man after your husband was dissatisfied?—No.

Then it must have been before, must it not?—Yes.

Do you know the Norfolk Dining Rooms, in Exchange Street, Sheffield?—No.

Have you ever been to some dining rooms near the market with Peace?—Yes.

Alone with him?—No, not alone.

Never alone?—No.

[John Wilson was here called into Court.]

Did you ever see that man in those dining rooms?—No, not to my knowledge. I never remember seeing his face before.

Do you ever remember being introduced to this man by Peace?—I never remember seeing his face before.

Will you swear you never saw him?—Never seen his face before, to my knowledge.

Will you swear that you did not on several occasions go to those dining rooms in company with Peace?—Not on several occasions.

You have been more than once?—I don't know which dining rooms you mean.

Near the Market. How often have you been to that place?—Once only.

Will you swear that?—Yes.

Alone with Peace?—No.

Charles Peace.

Mrs Dyson

Who was with you?—Two children.

Whose children were they?—My own, and one of Mrs. Padmore's.

Your boy was about five years old at that time?—Yes.

How old was the other child?—Three years, I think.

Had you refreshments there?—Yes.

When was this?—At the time of the Sheffield Fair.

The Summer Fair?—I don't know. It was the same day as I had my photo taken. It was the only time I ever had any refreshments with him there.

After you had your photo taken, you and Peace and these two children went to this dining-room?—I won't be sure whether it was before or after.

But you know it was the same day?—Yes.

What had become of your husband?—He was away from home.

Was he at the Fair?—Yes.

Did you see him there?—Yes, I met him in the evening.

What time in the evening did you meet him?—I cannot tell you.

Late?—Early.

Eight o'clock?—It was earlier than that. After the photograph was taken.

Will you swear now, Mrs. Dyson, that you were only once in these dining rooms with this man?—Never but the once I have referred to.

And your husband on that day did not come, as you say, until evening?—He did not come into the town till evening. He was in Sheffield, but not in the Fair.

The Fair was in the town?—Yes.

Then is it true that your husband was in the Sheffield Fair that day with you?—He did not go into the Fair.

Do you know a music hall in Spring Street, Sheffield?—I don't know Spring Street.

Do you know a music hall?—What is the name of it?

The Star?—Is that what I call a picture gallery?

I cannot tell you.—Then I cannot tell you.

Do you know a man named Goodlad?—No.

[Goodlad was called into Court, and Mr. Lockwood proceeded.]

Have you ever been to the Star Music Hall with Peace?—I don't know the name.

Have you been to any music hall with him?—I have been at a place where there was music in the evening, and where there was a picture gallery, a small stage, and tables and chairs round.

Do you remember being introduced to this man Goodlad by Peace at a music hall?—No.

Do you swear you never were?—I never remember seeing him before, except at Sheffield Town Hall.

The Second Trial.

Mrs Dyson

Have you not been three or four times to this music hall, the Star, in Spring Street, Sheffield?—No, I have not, only once. Will you swear you have only been once?—Only once.

Do you know an inn at Darnall called the Halfway House?—Yes.

Do you know a woman called Liversedge, who keeps it?—No. Whose name was Norton and is now Liversedge?—Yes.

Have you ever obtained drink there which was put down to Peace?—No, not to my knowledge.

Do you mean by that that you can't swear whether you did or not?—I say, never to my knowledge.

Do you mean by that to swear that you never did?—I say I never did to my knowledge.

Are you prepared to swear you have not obtained drink there?—Never to my knowledge.

Will you swear?—I say I never have done.

Will you deny it on oath? Say "yes" or "no," please?—Never to my knowledge.

You must answer more positively?—I can't do more than that.

Can you swear one way or the other?—I can't swear. I never did to my knowledge.

Can you swear either way?—No, I cannot.

I have shown you some letters, Mrs. Dyson. Did you ever write a letter to this man (the prisoner)?—No.

Do you know a little girl called Elizabeth Hutton? Call her in.

[The girl was called into Court.]

Will you swear you have never sent that child with a note to Peace?—Not with a note.

What did you send her with?—I have sent her with receipts.

How many?—Two or three; perhaps three.

What were they receipts for?—Picture framing.

Which pictures?—He had framed three or four for me, but those receipts were not for my pictures, but for those of other people, and he wanted the receipts written out for them. My husband was in the habit of writing out letters and receipts for Peace.

Now, look at that child. Will you swear that child has not brought you back notes from Peace for yourself?—She brought me back one, and I told her to take it back where she had fetched it from.

When was that?—After the removal.

What month?—I don't know what month.

Would it be July?—I cannot tell.

After who had removed?—After the prisoner had removed to the opposite side of the road.

At Darnall?—Yes.

Did you ever give that child anything for taking notes?—No.

Charles Peace.

Mrs Dyson

[When witness denied that she had received notes by that girl, Peace turned to the warders and informed them she had told a "damned lie."]

Do you know a man named Kirkham?—Yes.*

Did you send notes to Peace by him?—No.

Will you swear that?—Yes. I have given him receipts.

How many?—Two, I think.

By Mr. JUSTICE LOPES—What receipts were they?—Receipts for picture framing. The prisoner was in the habit of having my husband to write them out for him.

Receipts he wished to give to somebody by whom he had been employed?—Yes.

Cross-examination continued—Look at that man again. Has he given you notes from Peace?—No.

Never?—No, not to my knowledge.

Will you swear that?—Never to my knowledge.

Can you swear one way or the other?—Never to my knowledge. I will not swear it. He never gave me notes from Peace, to my knowledge.

You cannot swear it?—Never to my knowledge.

By Mr. JUSTICE LOPES—You say he never gave you notes? Did he ever give you a note?—Not from the prisoner, to my knowledge.

Cross-examination continued—Why did your husband write out these receipts?—When the prisoner was on friendly terms we thought he was a nice man at that time.

Why did he not write them himself?—He said he could not write very well; and he used to come in to ask my husband to be kind enough to do it for him, and he obliged him.

Did you ever send the child (the girl Hutton) for drink to Mrs. Liversedge's?—To where?

To Mrs. Norton's?—Not to my knowledge. I never sent her.

I understand by that that you mean that you cannot swear one way or the other?—Not to my knowledge.

You must answer the question. Can you swear one way or the other?—I have never sent her, to my knowledge. I have sent her out for beer, but I don't know where she fetched it from. I did not tell her to go there in particular.

I want to bring you now to the day before the 29th of November. On the 28th day of November, that was the day before your husband was killed, were you at the Stag Hotel, Sharrow?—Yes.

Who was with you?—A little boy; Mrs. Padmore's little boy.

How old?—He was six years old, I think; five or six years old.

* Other versions give this answer as "No."

The Second Trial.

Mrs Dyson

Anybody else with you?—There was nobody else with me.
[Prisoner muttered something about the boy being Willie.]

Cross-examination continued—Are you sure it was not your own little child Willie?—Quite sure.

Was there a man with you?—No, I was in by myself.
[Mrs. Redfern was called into Court.]

Look at Mrs. Redfern. Do you know her?—Yes; I remember seeing her.

Will you swear that on the 28th November, when you went into that hotel, there was no one with you but that little boy?—A man followed me in and sat down beside me, but I went in by myself with the little boy.

Was that the man (indicating the prisoner)?—No.

Will you swear it?—I can almost swear it was not him.

That won't do. Look at that man, and now look at me; now, on your oath, did not this man Peace go with you into that house on that night?—On my oath, he did not.

You swear it?—I swear it. No, no; he did not go with me into the house.

Did he follow you in?—Some man followed me in, but I did not know him.

On your oath, did *this* man follow you in?—No, not to my knowledge.

Will you swear that he did not?—I will swear he did not, unless he had made himself something different to what he is now. He was a young man who came in.

By Mr. JUSTICE LOPES—Different to what? What do you mean by that?—Something different to what he had been, because the person who sat beside me was a young man about twenty-five years of age.

Cross-examination continued—What did you mean just now by saying that you could almost swear that this was not the man?—Because he had such a habit of disguising himself, so that I cannot tell.

Did you speak to him?—I do not remember speaking to him.

Did the man speak to you?—He asked me where I had been, or where I was going, or something.

What was it?—He asked me where I had been, and where I was going.

What did you say?—I don't know.

But you spoke to him?—He passed some remark.

Did you answer him?—I cannot tell, because I only stopped a minute or two.

Did the man go out when you went out?—Yes, he followed me out just after. I am not quite sure, but I believe he did.

Did you not see him after he left?—No, I did not.

Do you mean to say that afterwards you did not see the man

Charles Peace.

Mrs Dyson

sitting here (referring to Peace), and that he did not tell you he would come and see you the next night?—No, I did not see him.

I did not say that. Did he that night tell you he would come and see you the next night?—No, he did not.

Did he say anything to you?—Nothing particular. Nothing worthy of remark, because I did not take any notice of him.

After he left, I mean?—Left what?

Left the public-house?—I did not speak to him after I left.

That you will swear?—Yes; I went straight home.

Did you think at the time that he might be there?—No, I had no idea.

Had you been in the Fair with any one that night?—No.

Did you tell Mrs. Redfern you had been in the Fair that night with any one?—No; I don't remember.

You may have done?—I don't remember anything about it. I believe she asked me if I had been at the Fair, or something of the kind.

What did you say?—I don't remember; I can't tell exactly.

You cannot tell whether you said "Yes" or "No"?—I must have said "No."

When Mrs. Redfern asked you if you had been at the Fair, what did you answer?—I tell you I believe I said "No."

And you are prepared to say you did not say "Yes"?—I may have said "Yes."

If you said "Yes," it was a lie?—I came through the Fair, but I had not been in the Fair that night to stop.

Had you been into a booth?—No; I had not been inside of one at all.

You know the booth I mean—Turner's booth?—No.

Did you go into it?—Certainly not.

Did you pass close to it outside?—I don't know it at all.

Did you go from one end of the Fair straight to the other?—No; I mean I walked past coming up from the station, but I did not go inside the Fair.

After you had passed the Fair, did you go to a public-house or beer-house on Shalesmoor, near Bower Spring?—No.

Where did you go?—I called at a friend's and had some supper in Fargate.

Before that, had you been to the Norfolk Dining-rooms?—No.

Did you then go to Turnell's, in High Street?—I don't know where it is.

Some vaults there, you know?—I don't know.

Did you go into any public-house?—No.

Not the Yorkshire Stingo?—I don't know it by that name.

Did you go into it?—I did not go into any; none until I called at my friend's house, and then I went to the Stag.

The Second Trial.

Mrs Dyson

Will you swear after you left the Fair you went into no public-house except the Stag?—Not to my knowledge.

By that I understand you mean that you will not swear one way or the other?—I say I did not to my knowledge.

You have told me that. Do you mean by that that you cannot swear one way or the other?—I say, not to the best of my knowledge.

So you have said. You cannot swear one way or the other?—I can't say any more than I have done.

Very well. Now, before starting for the Stag Hotel you went to the house of some friends. What is their name?—Yes. Is it necessary to tell?

By Mr. JUSTICE LOPES—Yes, you must answer the question.—Mr. Muddiman's.

Cross-examination continued.—Did you not tell Peace that night that you wanted to go to Muddiman's, at Sharroo?—I didn't see the prisoner at all.

Will you swear you did not tell him that?—I did not say so.

Will you swear it?—I will swear it. Mr. Muddiman does not live at Sharroo. I did not see the prisoner after I left the Stag.

How long were you at Mr. Muddiman's?—Perhaps an hour or two.

From there you went to the Stag?—Yes, I went straight on.

You went in an omnibus, didn't you?—No; I walked.

Have you seen Mrs. Liversedge here, or Mrs. Norton, who occupies the Halfway House at Darnall?—Yes.

Have you ever been turned out of there on account of being drunk?—No, I have never been drunk there in my life.

Will you swear it?—Yes.

Bring Mrs. Liversedge back. Now, look at that woman. Will you swear that you have never been drunk in the Halfway House?—Never drunk; I might be slightly inebriated.

Will you swear you were never turned out of her house for being slightly inebriated?—No, not to my knowledge.

No, that is quite true. You may not have known that you were inebriated?—I always know what I am doing.

Re-examined by Mr. CAMPBELL FOSTER—My friend has asked you a great many questions as to whether your husband ever attempted to get hold of Peace. Are you quite sure that he did not attempt to get hold of him?

Mr. Lockwood—I object to my friend putting the question that way.

By Mr. CAMPBELL FOSTER—He never got hold of Peace?—No, he was not near enough.

My friend has asked you how your husband fell, and you told him he fell on his back?—Yes, on his back; rather slanting.

Was that in the passage or in the little court?—In the little court at the end.

Charles Peace.

Mrs Dyson

Is there a wall on the other side of the court?—Yes.

What is the width of the little court?—I can't tell.

Is it quite as wide as the passage, which they tell us is 3 feet wide?—Yes, I think it is, to the best of my memory.

Did you observe, when he fell, whether the side of his head went at all against the wall or not?—It might, in falling, because he fell close to the wall, rather slanting, but on his back.

My friend asked you a great deal about your knowing Peace before you left Darnall. Did you say a year and ten months, or a year or ten months.

Mr. LOCKWOOD objected to the question, and Mr. JUSTICE LOPES said Mr. Campbell Foster had better ask her how long it was.

WITNESS—May be a year or ten months, or more.

By Mr. CAMPBELL FOSTER—You have been asked about going to a dining-room near the market with two children, and I think you answered that you went to get some refreshments?—Yes.

Were the children hungry, or were you hungry?—The children were hungry.

Mr. LOCKWOOD—But you suggested that?

Mr. CAMPBELL FOSTER—Then object.

Mr. LOCKWOOD—Then I do object.

Mr. JUSTICE LOPES said the question must be put in regular form.

Mr. LOCKWOOD—I did not consider it necessary to watch my friend so narrowly; I thought his age and experience would have taught him that the question must not be put in that way.

Re-examination continued—You said some one brought you a note from Peace?—Yes, and I told them to take it back and give it to the person they had received it from.

Have any other notes been sent to you by Peace?—No, not to my knowledge.

I don't propose to follow you through all the list of places you have been to. In your last answer to my friend you stated that you might have left the Halfway House a little inebriated. Just explain yourself. How did it happen?—I cannot tell you exactly. I might be slightly inebriated, and I cannot tell you any more.

By Mr. JUSTICE LOPES—You recollect when the prisoner, as you say, came to the closet door?—Yes.

After the prisoner said, "Speak, or I'll fire," how long was it before the first shot was fired?—About a minute or two; it might be a little more.

How long between the first shot and the second?—They were in succession.

As far as you could see, did the prisoner stand in the same position when he fired the two shots, or had he moved?—He was on the lower steps when he fired the last.

The Second Trial.

Mrs Dyson

And where was he when he fired the first?—In the yard.

And how far did he stand from the steps?—2 or 3 feet.

When he fired the second, where do you say he was?—On the lower step.

Where was your husband?—In the yard.

Then the whole of the steps were between your husband and the prisoner?—Only two.

Were they the same as the bottom steps?—Yes.

MARY ANN GREGORY, wife of John Gregory, of Banner Cross, examined by Mr. CAMPBELL FOSTER—I remember the prisoner coming into my husband's shop in the early part of October. My husband was at home, and I called him into the shop, and he and the prisoner had some conversation together, which lasted about ten minutes. I could not tell what the conversation was about, because I was not in the shop. During the time the prisoner was in the shop I had every opportunity of observing him. The next time I saw the prisoner was on the evening of the 29th November, 1876. It was about seven o'clock, and the prisoner came into the shop and asked for my husband, who was not in, and I told him so. The prisoner went out, and I watched him down the road. About eight o'clock I heard some one go past the back of my house with clogs on; then a scream. I went out to see what it was, and found Mr. Dyson standing at his back door. I said, "You had better go to your wife, Mr. Dyson." Mr. Dyson passed me, and went in the direction of the closet, from which the noise seemed to come, and I went into my house and locked the door. Afterwards I heard two loud bangs. One took place immediately after the other, within a few minutes of Mr. Dyson going in the direction of the closet. I heard another scream; it was a woman's scream. Later I heard footsteps upon the entry, and I went out to look. I saw a number of men carrying what looked like a man. I found afterwards that it was Mr. Dyson. I saw him later, in an insensible condition, sitting in a chair, with blood streaming down his face. I saw Dr. Harrison come. My house and Mr. Dyson's were the only two which opened into that part of the yard.

Cross-examined by Mr. Lockwood—When I saw Peace in November he looked just as he did in October. He had a long, white beard. I did not on the 26th of October hear Peace say to my husband, "Don't tell the Dysons that I have been." I did say before the coroner that I had heard Peace tell my husband not to tell the Dysons of his visit, but it did not refer to that occasion.

How long was it from the time you heard a person go up the yard with clogs on to the time you heard the scream?—Directly, I might say.

Now, think?—I am sure it was not two minutes.

Charles Peace.

Mary Ann Gregory

When you had seen Dyson and locked your door, I suppose you remained in the kitchen at the back?—Yes.

When Dyson set off to go after Peace, did he go quickly?—Yes.

Did he run?—No, he stepped quickly.

When you last saw him he was going quickly?—Yes, sir.

SARAH COLGREAVES, examined by Mr. CAMPBELL FOSTER—I am the wife of Thomas Colgreaves, of Dobbin Hill, Ecclesall. I live about a quarter of a mile from Banner Cross Terrace. I remember on the night of 29th November, 1876, going to Mr. Gregory's shop. It was about half-past seven o'clock. As I was going I met the prisoner. He was 50 or 40 yards from Gregory's shop. He was walking for the shop. He spoke to me, and asked me if I knew who had come to live at that house, pointing to the Dyson's. Mr. Gregory's is the first house. I said "No." He asked if I knew they were strangers, and I said "Yes." He said, "You don't know them then?" and I said "No." Then he said, "That woman is a bloody whore." I said, "You ought to mind what you say." He asked me if I minded going to Dyson's house and saying that a gentleman wanted to see Mrs. Dyson. I told him "No," he must go himself. Then I went to Gregory's shop. I remained in it for about ten minutes. When I came out I saw the prisoner by the end of the passage. He went towards Ecclesall. Whilst this conversation took place I had a good opportunity of seeing him. He walked by the side of me, and I am sure it is him.

CHARLES BRASSINGTON, examined by Mr. CAMPBELL FOSTER—I live at Lane End, Ecclesall, and am a labourer. I remember the night of 29th November, 1876. I know the Banner Cross Hotel, and Gregory's shop. They are 30 yards apart. I was on the road near to the Banner Cross Hotel about eight o'clock. It was a moonlight night. I noticed a man walking backwards and forwards. He was on the road. I should know that man. He came up and spoke to me after he had passed me three or four times. I was under a lamp when he came up and spoke to me. He asked me if I knew of any strange people who had come to live about there. I said, "No," and he then pulled out some letters. When we got to the next lamp, the prisoner showed me the letters, and wanted to read them, and I said I could not read them. (Taking some letters into his hand.) These are something like those which were shown to me. I did not take much notice of them. I told him I could not read them, and he then said, "I will make it warm for those folks before morning; I will shoot them both." After he had said that to me he walked away from me towards Gregory's; and I went home. We were talking together about ten minutes. I did not notice the man very particularly.

The Second Trial.

Charles Brassington

Just look now at the man in the dock. Do you recognise that man?—Yes, sir.

Is that the man?—Yes, sir.

Cross-examined by Mr. Lockwood—Without looking at the dock, don't you remember the man you met that night on account of his clothes more than anything else?—He had dark clothes on.

Did you notice his clothes more than his face?—I did not take much notice of him at all.

How do you know it was the 29th of November?—I expect it was.

I think you said just now you could not tell us; is that so?—Except as to the date of the murder.

Did they tell you it was the 29th?—(No answer.)

Who told you? Which of the policemen told you that?—None of them told me.

Then how did you find it out?—I looked at the paper.

Can you read?—No.

Then that would not help you. How did you know it was the 29th?—Some one told me.

Who was it?—I don't know.

Who do you think it was?—I don't know. I only know by what the others say.

What others?—(No answer.)

Who are the others?—I have heard other folks say it.

(Counsel asked seven or eight times what others, but could get no further answer.)

Now, you know you gave evidence in the month of December, 1876, before the coroner. Then in January this year before the magistrates. Did any one read your previous evidence to you on the last occasion?—Yes; Mr. Pollard.

Did Mr. Pollard read it to you and say, “This is what you are going to say”?—(No answer.)

Have you a good memory?—Not very.

I should think not. When before the coroner did you not say this, “He said that he would make it warm for them before morning; I expect he meant the strangers.”—Did you not say that?—(No answer.)

Mr. CAMPBELL FOSTER—You had better read on.

Mr. LOCKWOOD—I do protest against such an interruption.

Mr. JUSTICE LOPES—Mr. Campbell Foster, you have the privilege of re-examining.

Cross-examination continued—Is it true?—Yes, I do not know but what it is.

Then he did not say he would shoot the strangers?—Yes, he said he would shoot them.

What did you mean by saying that you “expected” he meant the strangers? Was that the conclusion you came to yourself from what he said?—Yes.

Charles Peace.

Charles Brassington

Is it that you thought he meant shoot by saying he would "make it warm"?—No, he said he would shoot them.

You have had this evidence read over to you by Mr. Pollard since?—Never since. I have told you all that took place between us on that night.

Re-examined by Mr. CAMPBELL FOSTER—Did you say to the coroner, "He said he would make it warm for them before morning; I expect he meant the strangers he had been talking about. He said he would shoot them both before morning." Is that what you said?—Yes.

Now, was it on the night of the Sheffield Fair that Mr. Dyson was shot?—Yes.

By Mr. LOCKWOOD—What sort of a hat had the man on that you met on the night of the murder?—I did not notice.

CHARLES WHYMAN was called.

Mr. LOCKWOOD—May I draw your lordship's attention to the fact that this man's name is not on the back of the indictment; neither has the prosecution given notice of their intention to produce him?

Mr. JUSTICE LOPES—It is always better to do it, especially in what is not an ordinary case, and the party has neither been before the magistrates nor the coroner. But here the man has been before the coroner, and you have had the opportunity of seeing his deposition on that occasion. The object of notice is that counsel for a prisoner shall not be taken by surprise. It is not so much the calling of the witnesses as the nature of the evidence which is important.

CHARLES WHYMAN, examined by Mr. CAMPBELL FOSTER—I live at Ecclesall, and am a quarryman. I remember the night when Mr. Dyson was shot. I was in the Banner Cross Hotel that night about eight o'clock. I heard two reports from a gun or something of that sort. I went to the door of the hotel and heard Mrs. Dyson screaming "Murder." I went in the direction of the scream, and, when I got to the end of the houses, saw Mr. Dyson lying on the ground, with Mrs. Dyson holding his head, partly in her arms.

THOMAS WILSON, examined—I am a scythe maker, and live at Brincliffe Hill, near Banner Cross. On the night of the murder I was on the roadway at Banner Cross, about 50 yards from Gregory's house, from about eight till twenty minutes past. While there I heard two reports of a pistol in quick succession. The sound came from the passage near the Gregorys' house. I looked back towards where the shots were fired, and saw a man go across the road from the direction of Gregory's house, and get over the road wall.* Over the wall is a garden, and to the right of the

* About 4 feet high.

The Second Trial.

Thomas Wilson

garden are another low wall and a field. It was a moonlight night, but at the time the moon happened to be under a cloud. I could not see who the man was. I heard a woman scream just as he was running across the road. I went down to where the woman was screaming, and found her in a small yard at the bottom of a passage leading into the road. It was Mrs. Dyson. She was holding Mr. Dyson's head up, and screaming, and saying, "The man has shot my husband."

The PRISONER, as this witness left the box—Oh, you villain.

Police Constable GEORGE WARD, Highfield Division, examined by Mr. CAMPBELL FOSTER—On the 30th November, 1876, I made a search near the house of Mr. Dyson, at Banner Cross. I searched in the garden and field opposite Gregory's house. I found footsteps near the road in the garden, and followed them into the field. They were middle-sized footsteps. In the field I found this bundle of letters (produced). They were not tied up. Amongst them I saw a card. The card contained the words, "Charles Peace is requested not to interfere with my family," and on the other side Mr. Dyson's name.

In reply to Mr. JUSTICE LOPES, Mr. CAMPBELL FOSTER said he intended to put the card in as evidence.

Mr. Lockwood contended that as Mr. Campbell Foster had examined Mrs. Dyson in respect of the letters, and had also referred to the card in his opening address, he was bound to put in the letters if he put in the card.

Mr. JUSTICE LOPES ruled that neither the card nor the letters could be put in, inasmuch as they were all irrelevant to the issue. He said that Mr. Lockwood had most properly cross-examined on the letters to ascertain the credibility of Mrs. Dyson; but he was bound by her answers and could not contradict her by introducing the notes as evidence in the case.

JAMES WILLIAM HARRISON, surgeon, Cemetery Road, Sheffield, examined by Mr. CAMPBELL FOSTER—I was fetched to attend Mr. Dyson on the 29th November. I arrived at the house about 8.30. I found him seated in a chair bleeding from a wound on the left temple. I had him laid on the floor, and examined the wound. It extended to the brain. I remained with him until half-past ten o'clock, when he died. He was insensible all the time. I made a post-mortem examination, and found a bullet on the surface of the brain. This caused death. I extracted the bullet and gave it to Inspector Bradbury.

Cross-examined by Mr. Lockwood—The witness denied that there were any bruises on the body of the deceased which showed that there had been struggling. He had found some slight abrasions on the nose and chin, but they were very slight. They

Charles Peace.

James W. Harrison

could not have been caused by a blow from the fist. They were abrasions; the skin had been grazed off. He did not think a ring on the finger of any one who might have struck him would have caused these abrasions, which appeared more like the result of a fall. He did not think the deceased had fallen on his face. When shown the depositions taken before the coroner, he admitted that he at that time said, "I noticed a bruise on his nose and chin, as though he had fallen on his face." That statement he now adhered to.

By Mr. JUSTICE LOPES—Then what you said before the coroner was right?—Well, it was not very far wrong.

Re-examined by Mr. CAMPBELL FOSTER—The deceased's face was not violently marked. He did not appear as if he had fallen with any weight upon his face. He might have fallen against the wall lightly. The injuries to the face were but superficial. The cause of death was shock and the presence of the bullet in the brain.

JACOB BRADBURY, inspector of police, Highfield Division, Sheffield, produced the bullet given to him by Mr. Harrison and said—I received the bullet on the 8th December from Mr. Harrison. On the 29th November I saw Mrs. Dyson at her house, shortly before Mr. Dyson died. It was about half-past ten o'clock. Mrs. Dyson gave me a description of Charles Peace, and, together with other officers, I searched for him, but could not trace him.

Cross-examined by Mr. Lockwood—The bullet has been in my possession ever since, until yesterday, when I gave it into the possession of Mr. Denton, who returned it to me. It was never out of my possession except on that occasion. I produce a photograph of Peace and Mrs. Dyson, stated to have been taken at Sheffield Fair; I received it from Mr. Jackson, but I don't know from whom he obtained it.

Mrs. DYSON, recalled and further cross-examined by Mr. Lockwood—Will you look at that photograph? Is it the one taken of Peace and yourself in the Fair?—Yes.

Mr. CAMPBELL FOSTER said he proposed to produce evidence of the threats made by Peace in July, 1876.

Mr. Lockwood objected to the introduction of such evidence, on the ground that, the pursuer being on his trial for an offence committed in November, what had taken place in July was too remote to have any direct bearing on the case.

Mr. JUSTICE LOPES said it would not be very cogent, but he could not say at present whether the evidence was admissible or not.

Mr. Lockwood asked his lordship to take a note of his objection.

Mr. JUSTICE LOPES—You object to the evidence because it is too remote?

The Second Trial.

Rose Annie Sykes

Mr. LOCKWOOD—Yes, my lord.

Mr. JUSTICE LOPEZ—I hold it is not too remote; but whether it is admissible is a matter that I must decide when I have heard it. At all events, at this point I decide that it is not too remote.

ROSE ANNIE SYKES, examined by Mr. SHIELD—I am the wife of James Sykes, and live at 13 Hazel Road, Darnall, but resided at 30 Britannia Road, Darnall, next door but one to the house where the Dysons lived in 1876. I remember the afternoon of 1st July, Saturday. Looking out of the window, I saw Mr. Dyson. He was coming down the street. I saw the prisoner, Peace, walking behind him. He got hold of his heels, as if to trip him up.

So far as you could see, was it done in sport or in anger?

Mr. LOCKWOOD—I must object. Cannot we have what actually was done?

Examination continued—Did you hear anything said by either of the men?—Mr. Dyson did not speak, but the prisoner said something I could not hear. On the night of the same day, between nine and ten o'clock, I was standing at the bottom of our passage, talking to my husband, Mrs. Padmore, and Mrs. Dyson. The prisoner came up.

What did you hear the prisoner say?—He said to Mrs. Dyson, “I'll blow your bloody brains out and your bloody husband's too.” [The prisoner made an emphatic sign of dissent and then groaned loudly.] The prisoner then took a revolver out from his pocket at his side, and pointed it at Mrs. Dyson's head. Afterwards the prisoner came up to my husband, and said, “Jim, you are a witness that she struck me with a life preserver.”

Had you seen Mrs. Dyson do anything with a life preserver?—No, sir, I had not.

Cross-examined by Mr. LOCKWOOD—I did not hear Mrs. Dyson threaten to strike anybody. I was not aware there had been any disturbance between Mrs. Dyson and the police before that.

About Mrs. Dyson being slightly inebriated?—Not that I know of. The conversation I heard took place on the 1st July, 1876. I have told no one about it. I did not give evidence before the coroner, because I was taken ill the same night, and it was a month before I got out again. I did not go before the magistrates. I remember the date, because it was the Saturday before my little boy was born.

JAMES SYKES, quarryman, 13 Hazel Road, Darnall, examined by Mr. CAMPBELL FOSTER—I was present at the time when the conversation referred to took place. We were talking about a man who had committed an assault. Peace came up at the time, and Mrs. Dyson said to him, “What are you annoying my husband for, everywhere he goes?” Peace replied, “I will annoy you and your husband wherever you go.”

Charles Peace.

James Sykes

Did the prisoner do anything when he said those words?—Yes, sir; he pulled out a revolver from his pocket, held it at the head of Mrs. Dyson, and said, “I will blow your bloody brains out, and your bloody husband’s too.”

PRISONER—You bloody villain, I will have my turn yet; you are a devil.

WITNESS—Peace then turned up the passage, but came back in about a minute’s time and said, “Now, Jim, you are witness that she struck me with a life preserver.” I said, “No, I am a witness that you pointed a pistol at her head, and threatened to blow out her brains.” The prisoner then turned round to go away, saying, “I have got enough ammunition here to do for half a dozen of you.” I saw no life preserver in Mrs. Dyson’s hand, and I was standing within a yard of her. She did not strike him with a life preserver or anything.

JANE PADMORE said—I am the wife of Edward Padmore, and I live at 40 Catherine Road. In 1876 I lived in Britannia Road, Darnall, and was acquainted with James Sykes and his wife. I remember, on the 1st of July in that year, talking to Mrs. Dyson and the other persons mentioned at Darnall. Whilst we were talking, I saw the prisoner, who came up. Mrs. Dyson said to him, “Why do you annoy my husband in the way you do?” He walked up to her, held a revolver against her face, and said, “I will annoy you and your husband too. I will blow your bloody brains out, and your bloody husband’s too.”

Did he say or do anything more?—No; he went away and walked down the passage. He afterwards went across the road, to his own house, and I did not see him again.

Cross-examined by Mr. Lockwood—I remember on one occasion going to Mansfield with Mrs. Dyson. We did not go with Peace. I suppose he followed us. We went in the back part of the train, and he in the fore part.

In the same train?—Yes.

Did you go to a public-house with him and Mrs. Dyson?—We did not; we went to a temperance hotel and got tea.

I beg your pardon, I should not have called it a public-house. It is a public-house, but a temperate public-house. (Laughter.) You had tea there, then?—Yes, not Peace with us. I and Mrs. Dyson and three children.

Was he not with you?—He was not. He walked into the room, went to the far end, sat down in an arm-chair, and called for a bottle of sherbet.

Did you leave Mrs. Dyson at Mansfield?—No, she came back with me.

Did you see Peace again at the house of a person where Mrs. Dyson was going to call?—No. We returned to our own homes direct from the station.

The Second Trial.

Jane Padmore

Did he return in the same compartment with you from Mansfield?—He did not.

Did he not pay for some drink for you?—He never did.

Where did you leave Mrs. Dyson that day?—At her own home.

Was it during the Sheffield Summer Fair?—It was on the Friday in Whit-week. I cannot remember the date.

EDWARD ROBINSON, 202 R, Metropolitan Police Force, examined by Mr. CAMPBELL FOSTER—I was on duty at Blackheath on the night of the 10th October last year, about three o'clock in the morning, near the residence of Mr. Burness. The dining-room window opens on the lawn. Whilst I was in the avenue outside St. John's Park, I saw a light in the dining-room window across the lawn. There is a shrubbery at the bottom of the garden. I got over the wall into the garden. The prisoner ran from the verandah outside the dining-room across the lawn to the shrubbery. I ran after him across the lawn. He turned round, and, pointing a revolver at me, said, “Keep off; keep back, or by God I'll shoot you.” I said, “You had better not,” and made a rush at him. He fired two shots. I made another rush at him, and he fired a third shot. We dodged about the shrubbery, and he fired two more shots, and the fifth shot struck me in the elbow. I closed with him, and got him on the ground, when Police Sergeant Brown came to my assistance, and we took him into custody.

Police Sergeant CHARLES BROWN, Metropolitan Police Force, examined by Mr. SHIELD, said he was on duty on the night of 10th October, 1878, and wrested the revolver (produced) from the prisoner.

JAMES WOODWARD—I am a gun and rifle maker, 64 St. James's Street, London. I have examined the revolver produced. The barrel is rifled in seven grooves. I should say the weapon was of Belgian* manufacture. I have seen the bullet, which is now passed to me, before, and it is one which is adapted for this pistol. The bullet at its fullest part shows the rifling; it shows the rifling that this barrel would produce.

Cross-examined by Mr. Lockwood—And that is a most common kind of revolver?—No, it is not the most common.

It is a common kind?—It is a common kind.

Manufactured and sent over in thousands?—Yes.

Mr. CAMPBELL FOSTER—That is the case for the prosecution, my lord.

Mr. JUSTICE LOPEZ (*to Mr. Lockwood*)—Do you wish to call witnesses?—No, my lord, I don't.

Mr. Lockwood said that, as it was not yet five o'clock, out of

* Query—Dutch?

Charles Peace.

Mr Campbell Foster

consideration for the jury, he would prefer to go on with the case without an adjournment.

Closing Speech for the Crown.

Mr. CAMPBELL FOSTER said that, if the cross-examination of Mrs. Dyson meant anything, he could not for the life of him tell what it did mean. Attempts had been made to show that Mrs. Dyson had been on terms of improper intimacy with the prisoner, but had not those attempts signally and miserably failed? But even if the defence had succeeded in that direction, would it not have suggested that there might have been jealousy on the part of the prisoner, and was not jealousy the passion that more than any other prompted men to the commission of desperate deeds? But even if Mrs. Dyson and Peace had been intimate in the way which had been suggested, was that any justification for taking the life of Mr. Dyson? He submitted that the circumstantial evidence was so strong that the jury ought to have no difficulty in concluding that this shooting had been done by Peace with malicious intent. Again referring to the cross-examination, he said that, though the jury might not have detected it, it was a charming piece of acting, an art in which there was no one more accomplished than his learned friend. It was a solemn sham, employed for producing a bad impression, and acted simply for the purpose of throwing dust in the eyes of the jury. He pointed out how direct was the bearing of the statements of the various witnesses upon the charge now hanging over Peace, and especially emphasised the improbability of the man who was seen getting over the garden wall on the night of the murder, and who also left the packet of letters behind him, including the card which he had had in his possession some time before, being any other man than the prisoner at the bar. If this was so, who could doubt that his guilt was clear and fully established? It certainly had been hinted at that there was a struggle between the deceased and the prisoner; but where was the evidence of it? No witnesses had been called for the defence. There certainly had been no such struggle; but the prisoner's advisers had not anything better to put forward by way of defence. He concluded by asking the jury to discard all mere rumours, and to decide only upon the evidence, bearing in mind that, although many imputations had been cast upon Mrs. Dyson, at every step the evidence had been plainly and strongly corroborated.

Speech for the Defence.

Mr. Lockwood then addressed the jury—Although the hour is now somewhat late when I commence to address you, yet I can't help feeling I might have preferred to have had some short time to

The Second Trial.

Mr Lockwood

prepare the words I am now about to address to you, some opportunity for preparing an appeal to your feelings in order that I might the more confidently expect your verdict. But when I consider, gentlemen, that it is not my convenience only that is at stake, but that of each of you, I don't think I should be doing my duty towards you unless I were to rise now at once to meet the case for the prosecution, and to put before you that defence which I intend to put before you on behalf of this man. I don't think any man in any profession has a more painful duty, or a more onerous duty, to discharge than when he feels he has to stand as it were alone against the whole world to protect the life of his fellow-man. My learned friend, Mr. Campbell Foster, alluded, in opening this case to you, to the rumours which had been circulated through this town with regard to this man. Aye, gentlemen, these rumours have not been limited to this town, they have not been limited to this county, but from one end of this country to the other there has been a wild and merciless cry for blood, which is a disgrace to the country in which I now stand. Never in the whole course of my experience—and I defy any of my learned friends sitting around me to quote an experience to the contrary—has there been such an attempt made on the part of those who should be the most careful of all to preserve the liberties of their fellow-men and to preserve the dignity of the tribunals of justice to determine the guilt of a man. I say these people, who have this mighty care entrusted to them, have terribly forgotten their duty. They have not hesitated for a moment, for the sake of the paltry pence which they could snatch from the public which they wickedly tried to gull, to prejudice this man's life.

PRISONER—Hear, hear.

Mr. LOCKWOOD—It has been done, and it has been done wickedly, and, as I was going to say, no duty can be more onerous and terrible than the one I am now called upon to perform; and it is a duty, gentlemen, in which I have had short experience, perhaps, compared to that of my learned friend; but during the short experience I have had I have known what it has been in this hour of trial to be sustained by the thought that I am addressing twelve men who approached the trial with minds thoroughly impartial and thoroughly unbiased. Gentlemen, have I that comfort now? Can I hope for a moment that when this question had been discussed and canvassed, aye, and determined, throughout the length and breadth of the country, you have not been drawn into the vortex of that discussion; you, who did not know until to-day the solemn and awful part you would have to play in this most fearful drama? You did not know until your names were called out to-day that you would have to take that place in the box which you now occupy. You have had your ears filled with reports; and you with others, actuated by what you have read, have discussed this matter, and possibly—I don't

Charles Peace.

Mr Lockwood

know whether it is so or not—possibly you have come into the box to-day with a strong opinion formed as to the merits of this case. But, gentlemen, if that be so, think what an awful duty you have now got to perform. Won't you be careful when you come to consider your verdict? Won't you be careful to see that any such bias, if it does exist, has been thoroughly eliminated? Oh, gentlemen, I implore you by all you hold most sacred, dismiss from your mind any such feeling as that. I do entreat you most earnestly, by the oath you have sworn, not to approach this question as one you have already determined, but to approach it remembering that it is for those who appear on behalf of the prosecution to establish their case. It is the great law of this land that every man is held to be innocent until he is proved to be guilty. People have not been content with animadverting upon this case alone. There is not a fact in the life of this man they have not raked up. His life may have been a wicked one. But, gentlemen, you must remember that if his life has been a wicked one, he, of all others, is least fitted to be hurried into the presence of his God, where he will be judged again.

PRISONER—I am not fit to die.

Mr. LOCKWOOD—My learned friend, Mr. Campbell Foster, in speaking of the manner in which I have conducted this defence, had called what I have done a piece of acting. He told you that what I had attempted was a solemn farce. That in cross-examining Mrs. Dyson I was only carrying out that which in his opinion was a mere piece of acting, which he was clever enough to see through. Gentlemen, I grant my learned friend great credit. Experience and age always bring their fruits. But was my learned friend acting? Was it a solemn piece of acting on his part when he told you that he did not know what defence was going to be set up? I was asking myself whether my learned friend was not acting when in an almost jocular tone—the tone least fitted for such a case as this—he put it to you, that perhaps I was going to set before you a case that, if this man had carried on an intrigue with that woman, it gave him the right to shoot her husband! I give my learned friend every credit for knowing what the defence is. But, gentlemen, you know perfectly well that that was never the defence I am going to put before you on behalf of this man. I had to attack the credit of Mrs. Dyson, and I did not hesitate to do it. I don't think, gentlemen, that you would have considered that I had done my duty in this case if I had not tested to the best of my ability the credibility of that woman, seeing she is the only witness who spoke to the actual transaction itself. When you have got one witness standing alone, speaking as to a transaction, it surely becomes a material thing to inquire as to how far you may rely upon her testimony. For that purpose, and for that purpose alone, I asked those questions which went to the credibility of Mrs. Dyson. Gentlemen,

The Second Trial.

Mr Lockwood

you have had the opportunity of hearing Mrs. Dyson give her evidence, and I will now point out to you what, in the evidence of Mrs. Dyson, entitles me to ask you to regard the evidence of that woman with very great suspicion. First of all, according to her story as first told—and, gentlemen, she has had every opportunity of telling her story, being examined by my learned friend on behalf of the Crown—she told him that she had known the prisoner for a year or ten months, from the 29th November, 1876. Now, gentlemen, that was the date which was fixed. She fixed it for herself. She knew she was going to be asked that question. She was prepared with an answer; she had been examined before; she had given the same answer; since the time when she was first examined she had had every opportunity of verifying that answer. She must have known perfectly well when she gave that answer to-day that, if she was speaking the truth, this was the exact time during which she had known this man. In the course of my cross-examination I put it to her as to when it was her husband first became dissatisfied with the conduct of the prisoner. In answer to that question she said she thought it was in the spring of 1876. Now, gentlemen, it is important for me to show that after the time her husband had become dissatisfied she was keeping up a communication with this man. Because, you know, she denied that this quarrel between her husband and this man was on account of herself. I am most anxious to find out as to whether, after that dissatisfaction had been expressed by the husband, she was still continuing to carry on friendly intercourse with the prisoner at the bar. Then the photograph is produced. Did you see that photograph? She says that it was taken in the Summer Fair. That was her first answer. Then that must have been the Summer Fair of 1876. The answer to the question before had been, "My husband became dissatisfied with the prisoner in the spring of 1876." Mrs. Dyson was quick enough to see that it would not do for her to acknowledge to-day that she was actually photographed with this man in June, 1876, after the time that her husband had fallen out with him and was dissatisfied with his conduct. She at once began to shuffle—first of all by endeavouring to put that photograph back to the Summer Fair of '75. That would not do. She tried, but it could not be done, because we have her fixed to this time, that her acquaintance with this man only went back to the November, 1875. So that would not do. Something was said about her having put it at a year and ten months, but my lord soon corrected that. I don't know from whom that suggestion came, for she said distinctly that it was a year or ten months. I took the trouble to impress upon you the importance of that answer. It was that answer I took the trouble to impress upon you, for it was a question I was bound to put. We started with this fact proved, that in the Summer Fair of 1876 she was going about with this man, and she was being photographed with him.

Charles Peace.

Mr Lockwood

Gentlemen, I understood it so; I do not know whether you did or not. Perhaps in speaking of these matters one's mind is apt to be influenced by the evidence given on former occasions, because on hearing the evidence of a former time the impression was on my mind that she said she was in the Fair with the prisoner, but it was in company with other people, and her husband was there. Then she was asked as to whether she had not on a certain day been in a music hall or public-house with the prisoner—"Were you not there with him?—Yes." First I think she denied it, and she afterwards said that some one was with her. Whom? Two children, one of the age of three and the other of the age of five. They were with her; her husband was not there. The day she went to the Fair these children were with her. Where was her husband? He did not go into the Fair until the evening. So that we have it that she was alone in Sheffield Fair with the prisoner, except for two young children, and was photographed on that day with him on the Fair ground. Now, gentlemen, my learned friend has suggested that certain people have been called, and been paid a small sum of money to present themselves before Mrs. Dyson when she was in the witness-box, in order to impress you with the idea that Mrs. Dyson was saying what was not true. Gentlemen, let me just explain to you the position I am placed in with regard to the contradiction of Mrs. Dyson. Anything that went to the credit of a witness no doubt is not capable of contradiction. If Mrs. Dyson had denied that she had been to a public-house with this man I could not contradict her. If Mrs. Dyson had even denied that she had ever been to the Sheffield Fair for the purpose of being photographed with this man I could not have contradicted. The question is not relative to the issue, and I am bound by the answer. But I will ask you to carry your recollection back to the time when Mrs. Dyson was in the box, particularly when I called those persons before her, as to whether she did not flinch from them as I put them before her. I ask you to carry back your recollection when I called upon her to say whether or not she would swear that she had not been to a certain place with this man—this woman who had been so bold up to that moment, when confronted by people who knew and could say that she was lying if she denied it—then she commenced to make such answers as "Not to my knowledge." "Will you swear it?"—"Not to my knowledge." Were those witnesses people who had no effect upon the trial? The witnesses who, his learned friend said, had been purchased at a paltry sum to come and act a lie! If my learned friend did not realise the influence of these witnesses he was sorry for him! Was that what his learned friend called a solemn piece of acting on his part? Did that cross-examination make any impression on their minds as to the credibility of this woman? And then I had to press her in a way that is distasteful to any man to have to take with a woman, for I had almost to attack her

The Second Trial.

Mr Lockwood

in a way; then I succeeded. Do you remember one question I put to her—about the last one I put to her—when she swore that she did not see this man from July to October, 1876? They would remember how she had sworn over and over again to that. Yet when I put the question whether she could swear that this man did not follow her into the Stag Inn on the 28th of November, what did she say? Why did she not at once give an indignant denial and say, "No, because I never saw him from July, 1876, to November"? Looking at me, she said, "I can almost swear that he did not." Do you remember that? If that man had come in with her that night, then she felt she could not swear that he had not. The question took her by surprise, startled her, and she would not go to the full length of a denial upon oath. Then she recollected herself, and, remembering that this was one of those things upon which she could not be contradicted, because it went only to her credibility, she made up for her temporary lack of presence of mind. After a moment's thought, she said she would swear it; and this woman, who two minutes before had said she could almost swear it, was now ready to swear it on her solemn oath. You will bear in mind the nature of her answers when you come to consider the credibility of this witness. I will endeavour to show you, to the best of my poor ability, the important bearing this evidence has upon it. There is no other soul to come and speak to what occurred in that passage but that woman and that man (pointing to the prisoner). I think my learned friend actually asked me why I did not call witnesses as to that part of the case. I may be doing him an injustice, but I say that to the best of my recollection my learned friend put that question to me through you. The absurdity of such a proposition removes it from the necessity of being replied to. Now, gentlemen, I will tell you why I say that I am entitled to ask you to think deeply of this. I claim your verdict because you have to depend entirely upon that woman's evidence with regard to the fact I am going to call your attention to—her evidence, which is not only uncorroborated, but is actually contradicted in some points material to the case. You heard my cross-examination, and no doubt saw what was my defence. A struggle had taken place. In the course of that struggle the weapon might have been discharged for the purpose of frightening Dyson. It should be remembered as a point in the prisoner's favour that the bullet was found high up in the wall; a shot fired at a man 6 feet high would hardly have been found there if it had not been fired for the purpose of frightening him. Then this big man Dyson pursued the prisoner for the purpose of seizing, and, as I suggest now to you, actually did seize him. A struggle had taken place; in the course of it the revolver, which was in the hand of this man, might have gone off. It might easily have done so, and had death been so caused that clearly was not murder. I put this question

Charles Peace.

Mr Lockwood

to Mrs. Dyson in cross-examination. I asked her particularly whether she could swear that her husband did not attempt to get hold of the man Peace. I cross-examined her somewhat lengthily with regard to that part of the case, and eventually she admitted that she could not swear that her husband did not attempt to get hold of the man. I asked her whether on a previous occasion she did not swear, or decline to swear, that her husband did not actually get hold of the man, but I could only get from her that answer which came from her over and over again, "Not to my knowledge." In your consideration of this matter you must bear this in mind, and must remember it most indulgently on behalf of the prisoner at the bar. I was compelled to cross-examine her to a length which my learned friend has described as tedious.

Gentlemen, my case is this. When the first shot was fired with the intention of frightening him, Mr. Dyson must have been on the upper side of the archway. But he was not found there. He was lying in the little square yard at the end of the passage, and his head was towards Ecclesall Road and his feet towards the passage. He must have advanced after the first shot was fired. I decline to believe that Mrs. Dyson could possibly have seen what took place. She was behind her husband, and he was a tall man, correspondingly broad, and standing in a narrow passage. Yet she swore in a most unhesitating manner as to everything that took place, and she did so because she knew she could not be contradicted. But I maintain that the evidence which has been given tended strongly to corroborate the claim which I now make, that after the first shot was fired Dyson went out of the archway for the purpose of wresting the revolver from the prisoner. You will remember the direct contradiction as to the position of the body of the deceased man, and I would remind you that you must not take a presumption against the man at the bar. You must not suppose that he was guilty. The medical evidence, I maintain, does not help you a bit. Mr. Harrison said that an abrasion could not be caused by a blow with a fist or a ring. But I confidently leave that question with you. It was not a question of medical skill or of scientific opinion; it is a question for you as men of common sense to say whether the abrasion could have been caused by a blow on the face. The prosecution has not a tittle of evidence on which to test the theory that this abrasion was caused by a fall against the wall. They have gone out of their way to put before you a theory that would account for it, feeling the necessity of doing away with the force of that part of the evidence. I maintain, however, that before the weapon was used a second time there was a struggle of some kind between the deceased and the prisoner, and that before that an attempt had been made to seize him—and that woman could not contradict it. That attempt was successful, but not altogether, for the deceased

The Second Trial.

Mr Lockwood

received a blow in the face, which hit him on the chin, grazing the skin, and on the nose. There was strong corroborative evidence of this, and, in addition, you have to remember the position in which the body was found. You must remember that that woman told you that when the deceased was struck he fell on his back with his head towards the top of the passage and his feet towards Ecclesall Road. How could they reconcile that with Wilson's statement that his head was towards Ecclesall Road? That was a strong reason for the need of corroborative evidence with regard to what actually did happen that night.

I will now deal with the letters, which my learned friend considers are of such little importance in the case as to decline to make them part of the case for the prosecution. Not only that, but he rejected a piece of testimony which he mentioned in opening the case. He has read that evidence—the card—to you, and has asked Mrs. Dyson if it was not in the handwriting of her husband. If that card could have been put in without his being compelled to put in the letters, he would have had it in evidence. But rather than let you see the contents of these letters, rather than let you know what had been written, he had forfeited the evidence he might have put in. Who is throwing dust in your eyes? Was not the prosecution doing—as they always did—claiming the proud privilege of saying it was not their duty to ask you—the jury—to convict unless all the facts are before you which tend one way or the other to illustrate the case? Rather than let you know what these letters contain, my learned friend, in his wise discretion, refused to put them in on behalf of the unfortunate man in the dock, who himself could not do so. You will have to consider your verdict without knowing the contents of the letters, and you will surely feel that the prosecution must have the strongest possible motives for preventing their being known. Will that fact have no weight in your deliberations? Will you not ask each other why the prosecution so strongly objected to produce those letters? The prosecution must have some strong reason for not daring to put in those letters, and you must look with even more suspicion upon the woman who had been charged this day with writing them. Will this have no effect upon you as to the credibility of Mrs. Dyson? Will it not influence you when you consider, not whether it was a shot that killed Mr. Dyson, but how that shot was discharged? There was not a shadow of doubt that the shot killed the man; but there was not much in the evidence, except what I have called your attention to, that combated the contention of the prosecution. If Mrs. Dyson was correct, her husband was walking straight down the passage when he was faced by the prisoner. Why, if the weapon had been discharged then, what would have been the result? A man firing straight at Mr. Dyson could never have hit him on the side of the temple. The bullet would have found

Charles Peace.

Mr Lockwood

its way through the front of his head. But the medical man proved that it had entered on the left side of the temple and turned down into the brain. Does that look as if the prisoner fired at Mr. Dyson as he was calmly and slowly coming down the passage, or did it look as if the pistol had been discharged during a struggle—when the prisoner's hand was aloft and an attempt was being made to wrest the weapon from his grasp? You have evidence to show that there was such a struggle. You must ask yourselves if Mrs. Dyson is a woman upon whose evidence you would risk a man's life. I infer that Mrs. Dyson saw Peace from the bedroom window on that night and slipped downstairs to meet him. Her husband was reading in the room and did not notice anything until he heard the door close after her. He had been jealous before. He now went out to see what had become of his wife. Mrs. Gregory saw him standing at his door; that, I maintain, is not the action of a man who was called out by his wife's scream for help. He would not have stood at his door, nor would he—as Mrs. Dyson said—have walked down the passage. Next, with regard to the witness Brassington. I contend that, as he took so little notice of the man with whom he spoke, and was so uncertain as to dates, that his evidence is worthless. Then a witness was called who, Mr. Campbell Foster stated, would identify the prisoner as the man who ran away from the place, but this witness did nothing of the kind. He stated that he could not identify the man, though he would not say that the prisoner was not the man who was there. I feel bound to refer to this specimen of Mr. Campbell Foster's unfair treatment.

The prisoner is a wild and reckless man, but statements have been made about him which are unkindly untrue. It is quite possible for a man of his temperament to use threats under the influence of passion which he did not seriously intend to carry out

I trust you will seriously and solemnly weigh all the considerations I have brought before you and that you will not return your verdict without having carefully paid your best attention to every detail. It was not that I felt myself uncertain that you would retire to consider your verdict with as firm a resolve as men could have to do what was right and just in discharging so painful a duty, but I venture to call your attention to the stress that has been laid upon the language the prisoner was said to have used. I beg you to remember that you have to pay attention to the evidence only, and not to consider anything you have heard outside.

I have endeavoured to show you that the evidence of Mrs. Dyson, tainted in many a particular, cannot be looked upon but with the gravest suspicion, and was not sufficient upon which to forfeit a man's existence. I do not care what the prisoner's life has been; I ask you to spare it because—as I have said—the worse his life has been the less fitted is he to die now. (The

The Second Trial.

Mr Lockwood

prisoner, turning up his eyes, “ I am not fit to die.”) But I base my claim to a verdict in the prisoner’s favour on stronger grounds than that; that the prosecution has failed by means of satisfactory and reliable evidence to bring the charge home to the prisoner.

We are standing in a Court of justice, and, although mercy is the handmaid of justice, I do not appeal to her. I do ask you most solemnly to consider before you give your verdict whether on the uncorroborated evidence of that woman you are going to return the verdict which the prosecution has asked you for.

Gentlemen, whatever that verdict may be, I am certain it will have your calm consideration, and it is for your own sakes alone that I do again and again implore you to approach that contemplation and consideration with all the calmness in your power, in order that you may not at any future time have to reproach yourselves with having given a verdict which was not consistent with the laws of the country.

Charge to the Jury.

Mr. JUSTICE LOPES—I am certain that no observations are necessary from me in order to intensify the appreciation which you have of this momentous issue now submitted to you. I am certain you will approach that issue, which is of vital importance to the prisoner, with that impartiality which is pre-eminently the characteristic of Englishmen and of an English jury. I earnestly implore you to discard from your minds everything you may have heard or read about the case before you came into Court, and to decide other questions you are called upon to determine upon the known testimony of the witnesses who have given their evidence before you to-day. Before proceeding to deal with that evidence, I will endeavour, as clearly and shortly as I can, to explain the law as it bears upon this case, because it is only by understanding the law that you can properly appreciate the evidence. Murder is the killing of another with “ malice afore-thought”—that is, intentionally. In every murder the law presumes malice. Malice is only presumed, and it is open to the party charged to rebut that presumption in several ways, amongst others by showing that the homicide amounts to manslaughter only. Homicide that would be murder may be reduced to manslaughter upon provocation, provided that the circumstances of the case lead to the conclusion that the act done was not the result of cool, deliberate purpose and previous malignity of heart, but was imputable to the impulse of the moment or a frenzy of passion. But no slight provocation would be sufficient to reduce that which would be murder to manslaughter, when a deadly weapon was

Charles Peace.

Mr Justice Lopes

used, and, further, no provocation would reduce that which would be murder to manslaughter if express malice was proved. That is to say, if a preconceived ill-will by the party charged is proved to exist against the deceased person, then the plea of provocation fails altogether, because then the suggestion that the blow was struck in the heat of the moment is at an end and the act becomes attributable to malice aforethought. You will see, therefore, that a homicide which would be murder may be reduced to manslaughter in certain circumstances. For instance, if there was an angry scuffle between two persons, and in the course of the scuffle a deadly weapon—such as a pistol—went off accidentally and killed one of them, that would not be murder but manslaughter. That, as I understood, was the defence which had been so ably made for the prisoner by Mr. Lockwood. It is contended that you must not believe Mrs. Dyson, that she is not a reliable witness, and that what really occurred was that the first shot was fired simply to frighten either Mr. or Mrs. Dyson; that then a scuffle ensued between Mr. Dyson and the prisoner; and that in the course of this scuffle the pistol which the prisoner was carrying accidentally went off and thus accidentally caused the death of Mr. Dyson. Now, that, of course, presumes that you disbelieve Mrs. Dyson, because there can be no question that, if you accept her evidence as true, the theory of the defence—and I am bound to say it is very much a theory with but little, if any, evidence in support of it—falls to the ground.

As regards Mrs. Dyson, it is necessary that you should carefully consider and carefully examine her evidence. It was said by the counsel for the prisoner that they must discredit Mrs. Dyson's evidence altogether; that she had on several occasions contradicted herself, and had answered some of the questions with so much hesitation that she was unworthy of belief. She had been cross-examined at very considerable length—I do not say at too great length—regarding a supposed intimacy between her and the prisoner at the bar. I do not know what feeling you may entertain, as to any familiarity—I do not say improper familiarity—between Mrs. Dyson and the prisoner. If such was the case, it might be said on the one hand that something existed which would supply a motive for that which afterwards happened; and the suggestion was that, having been on those familiar terms with the prisoner, she afterwards conceived a grievous dislike and hate towards him, and that she now came into Court to endeavour by perjured evidence, or by withholding evidence of circumstances that had taken place, to make the case against the prisoner worse than it really was. But it is my duty to remind you that the case does not rest on her evidence alone. There is a vast amount of testimony besides hers which you may or may not think is corroborative of the evidence which she has given. It is not denied that the prisoner was there; that shots were fired. I need not remind you

The Second Trial.

Mr Justice Lopes

that the most important ingredient in the defence is the accidental discharge of the pistol. What is the evidence of that? There is none. It is an absolute inference; an absolute surmise. Of course, the learned counsel for the prisoner was entitled to say that there could be no witnesses of the accidental discharge of the pistol, because Mrs. Dyson and the prisoner were the only persons who saw what actually took place. As the accidental discharge of the pistol was so important an ingredient in the case, I will, by and by, ask you to take the pistol in your hands and try the trigger of it, so that you can form your own opinion as to whether it was a pistol likely to go off accidentally or not.* Of course, the pistol produced might not have been the pistol used at Banner Cross; I am bound to remind you of that. But, on the other hand, it had been sworn by the gunsmith that the bullet which came out of the revolver in November, 1876, bore marks upon it such as would have been produced had it come from the revolver taken from the prisoner in October of last year.

(Mr. Justice Lopes then read much of the examination of Mrs. Dyson.)

Referring to the threats used in July, 1876, he said it was a fair comment to make on this part of the case that because the prisoner entertained an angry feeling at a certain time, that was no reason why he should entertain the same feeling some months afterwards. That certainly was a fair comment to make. But it is for you to say whether it was not a very significant thing when they found that at that time—in July, 1876—the prisoner threatened to blow out the brains not only of Mrs. Dyson, but of her husband as well. I must remind you that the evidence as to the threats in July does not consist of the uncorroborated testimony of Mrs. Dyson, but that her statement was supported by three witnesses, who gave, though not in the same words, substantially the same meaning of the conversation which took place when the threats were used.

In reference to what took place when Mr. Dyson was shot, if Mrs. Dyson is to be believed, there was no struggle whatever—in point of fact, her evidence clearly proved that there was no struggle or scuffle. That being so, the defence set up for the prisoner had no foundation. The question for you to decide is, do you believe her? The object of the cross-examination of Mrs. Dyson was to discredit her evidence. The learned counsel was perfectly justified in that course; in fact, he would not have done his duty had he not acted as he had done. But it was the law of evidence that, although any question within reason might be put to witnesses for the purpose of testing their credit, their answers must not be contradicted by other witnesses, unless the answers they gave were

* Oblivious of the fact that more than two years having elapsed, the condition of the weapon might be entirely different *now* to what it was *then!*

Charles Peace.

Mr Justice Lopes

relevant to the issue which was being tried.* The learned counsel was bound to test Mrs. Dyson; he was also bound by her answers. In the course of this cross-examination much had been said about some notes and letters found in a field near Mr. Dyson's house, but they had not been put in by the counsel for the prosecution because they could not actually be traced to the prisoner, and they could not be put in by the counsel for the prisoner because they were irrelevant.† You must estimate for yourselves what was the value of these documents.‡

The case now passes from me to you. You have a most responsible duty to discharge. You are bound to look carefully into the whole of the evidence; if you can conscientiously give the prisoner the benefit of any doubt you ought to give it to him. On the other hand, if the evidence is such as to satisfy you that the prisoner did commit this murder, and that there was no solid ground on which the defence could rest, then you must recollect that you owe a duty to the community at large, and must also recollect the duty you have incurred by the oath you have taken.

The jury retired at 7.13 p.m., returning into Court at 7.25 p.m.

Having answered to their names,

The CLERK OF ARRAIGNS—Are you agreed upon your verdict? Do you find the prisoner at the bar guilty or not guilty?

The FOREMAN OF THE JURY—Guilty.

The CLERK OF ARRAIGNS, addressing the prisoner—Charles Peace, you have been indicted and convicted of wilful murder. Have you anything to say why the Court should not pass sentence according to law?

The PRISONER, very faintly—It's no use saying anything.

Mr. JUSTICE LOPEZ—Charles Peace, after a most patient trial, and after every argument has been urged by your learned counsel on your behalf which ingenuity could suggest, you have been found guilty of the murder of Arthur Dyson by a jury of your countrymen. It is not my duty, still less is it my desire, to aggravate your feelings at this moment by a recapitulation of any portion of the details of what, I fear, I can only call your criminal career. I implore you during the short time that may remain you to live to prepare for eternity. I pass upon you that sentence, the only sentence, which the law permits in a case of this kind. That sentence is that you be taken from this place to the place whence you came, and thence to a place of execution, and that you be

* Namely, the guilt or innocence of Peace.

† Surely the latter consideration only bears any weight. There was ample evidence that Peace had a packet of letters in his possession on the evening of the murder. Who else but he could have dropped that card on that night in that place?

‡ Considering how much of them had been read in public again and again, all this seems rather farcical.

The Second Trial.

Mr Justice Lopes

there hanged by the neck until you are dead, and that your body be afterwards buried in the precincts of the gaol wherein you were last confined before the execution of this judgment upon you. And may the Lord have mercy upon your soul.

The CHAPLAIN—Amen.

It is said that Peace heard the verdict and his sentence phlegmatically; it is said that he did just the opposite; does it matter? That he was guilty there can be no doubt.

XVIII.

That Peace did slay Arthur Dyson, and that the act was murder, cannot be questioned. None the less it is interesting to read and mark the account which the rogue himself gave of his deed.

Reference has already been made to the confession which he delivered to Mr. Littlewood while he was awaiting execution, that portion of it referring to the Habron case having been quoted; the remainder pertains here.

After having obtained an assurance that his statements would be received with credence, Peace went along thus:—*

“ Now, Mr. Littlewood, about the Banner Cross murder. I want first to say solemnly to you, in the sight of these men, and in the hearing of God, that several witnesses grossly perjured themselves, but I freely forgive them (naming two in particular), and I hope to meet them in heaven. You may ask me what their perjury was. It was this—They swore that they heard me threaten Mrs. Dyson; that was a lie. I call God to witness that I never threatened Mrs. Dyson. Mrs. Dyson and I were on such intimate terms that it would not have suited my purpose to have done so.” (Here the convict made use of language implying familiarities with Mrs. Dyson—language which cannot be published.) Then Peace suddenly changed the subject to the Whalley Range murder. “ . . . I came to Sheffield the morning after the (Habron) trial, and I went to Banner Cross in the evening. Now, about that. There is a low wall at the back of the house where the Dysons lived, which is one of the houses in the terrace called Banner Cross Terrace. My object was to see Mrs. Dyson. I stood on the low wall at the back of the house. I knew it very well, both front and back, and that the bedroom was to the back. While I was standing I noticed a light moving about in the bedroom. The blind was up, and I could see Mrs. Dyson carrying a candle and moving about the room. She

* *Manchester Evening Mail*, 25th February, 1879.

Charles Peace.

was putting her boy to bed. I watched her for some time. I cracked my finger and gave a low whistle to attract Mrs. Dyson's attention, as I had often done before at other places. Mrs. Dyson came downstairs. She knew the signal, and in response to it she came out and passed into the closet. I then got down off the wall and followed her there. What did I want there? I went simply to beg her to get her husband to withdraw the warrant which was out against me. I was tired of being hunted about. If I had got that warrant withdrawn I should have gone away again. Mrs. Dyson became very noisy, and used fearful language and threats against me, and I got angry. I pulled out my revolver, and held it in her face, and said, 'Now, you be careful what you are saying to me. You know me of old, and know what I can do. I am not a man to be talked to in that way.' She did not heed what I said, but continued her abuse and threats, and while this was going on Mr. Dyson hastily made his appearance. As soon as I saw him I immediately started down the passage which leads to the main road. Before I could do so, Mr. Dyson seized me. I struggled to get past him. I said, 'Stand back, and let me go,' but he did not, and I then fired one barrel of my revolver wide at him to frighten him. I assure you I purposely fired wide. I could have shot him dead at the first shot had I cared to do so, I was so near to him. Mr. Dyson kept his hold of me, and we struggled together, and he seemed likely to get the better of me. He had got hold of the arm to which I had strapped my revolver, and then I knew I had not a moment to spare. I made a desperate effort, wrenched the arm from him, and fired again. It was a life-and-death struggle, sir; but even then I did not intend to shoot Mr. Dyson. My blood was up, and, having fired one shot, I knew if I was captured it would mean transportation for life. That made me more determined to get off. I fired again, as I told you, but with no intention of killing him. I saw Mr. Dyson fall; I did not know where he was hit, nor that his wound was one which would prove fatal. All that was in my head at that time was to get away, and if we had not struggled I should have got away without this. Whatever was sworn to at the trial, I tell you we had a scuffle, and for a time Dyson had the best of it. With my revolver I could have shot him dead at the first, but I did not do so, and when I fired the second time I could not calculate my aim owing to the excitement. If I could have done so, I should simply have disabled him and got away. After Dyson fell, I rushed into the middle of the road, and stood there for some moments. I hesitated as to what I should do. I felt disposed at first to go back and help Dyson up, not thinking that he was wounded fatally; but people began to gather. I was greatly agitated, and I decided on escape. I jumped over the wall on the other side of the road, and got away. As I did so the packet of letters fell from my pocket. I call God to witness, sir, I did

Charles Peace.

not kill Mr. Dyson intentionally, and I most solemnly swear that in shooting at him I did not intend to murder him. If any one thinks for a moment, he will see that I never intended murder when I went to Banner Cross. If I had meant to murder Mr. and Mrs. Dyson, or either of them, I knew the place well enough. All I had got to do was to go to the door, walk in, and shoot them both as they were sitting; and do you think, sir, that if I had gone there to murder Dyson I should have allowed myself to be seen by so many people? Of course, I do not deny that I took Mr. Dyson's life, as it turned out, but I did not go there with the intention of doing it. It was as unintentional a thing as ever was done, and it would not have been done if I had not been interrupted in trying to get Mrs. Dyson to induce her husband to withdraw the warrant, and if Mr. Dyson had not been so determined to get me into trouble and prevent my getting away."

Peace repeated again and again that both at Manchester and at Sheffield the struggle to get away was the cause of his *missing his aim*.

He closed the interview by asking Mr. Littlewood to hear him pray. For twenty minutes he poured out fervent petitions for mercy, praying especially for Dyson and Cock, the men whom he had killed, but not murdered.

This and Peace's other admissions amount to no more than that he did shoot Cock and Dyson, did shoot at Robinson, but always under the compulsion of self-defence. In brief, that he was an unruly brute.

XIX.

The days following his trial were spent by Peace in preaching and prayer, without fasting. He annoyed his relatives and others by his admonitions towards a godly life.

Here is an epistle—

Armley, Feb. 6th, 1879.

My dear wife and children.

I got your letter A minnit ago I hope that you will all keep your Spirits up as well as you can trougth your grate trouble as well as you can & Pray to God to have mercy upon My Poor Soul I think that I shall have to dei in A fortnight from now. . . . I conclude with best Love to you all as Long as I do Live . . . I am yet verey ill.

The next day this amazing performance—

H.M. Prison, Leeds, 7th February, 1879.

My dear Son-in-law,—I hope this letttr will find you as well it can do i am Still very weak and ill but a little better than i have been. You

Charles Peace.

will know well that i have been perged (perjured) against by three persons in Darnall what I wish to say to you is this do not make any attempt to avenge the wrong that was done to me by Jim and his wife and Mrs. Padmore, for under my Present feelings i feel no imbetterness against no Person in this world, for if i must be forgiven i must forgive. So, My Dear Son, do you Not Commit yourself in either thought, word, or deed against any of these Persons, but in Place of being in their Company do all you Can to avoid them, and this will keep you from doing anything at each other that will be offencive. I do Send you a form of Prayer that I Compiled Myself before i left Pen ton vile Prison.

O Lord, turn not Thy face from me, but have mercy. Good Lord, have mercy on me. I need not to Confess my life to thee, for thou knows what i have been and what i am So O My Blessed Lord and Saviour Jesus Christ, have mercy upon me, and wash and cleanse me from all my Sins and Make Me Clean, and save me from the danger of sin and from the Power of Hell. O God do not despise me nor Cast me from thee, but have mercy Good Lord have mercy upon me, and make me what thou would have me to be, to enter into the Kingdom of heaven, and then receive my Poor Soul at the last for Jesus Christ his Sake. Amen. "The Lord have mercy upon me, Christ have mercy upon me. Amen."

My Dear Son,

I have sent you this Prayer to Show you all the State of Mind that i do now feel myself to be in i do not feel no trouble so great as i do my Sinful life agains my God i begin to feel that my God will have mercy upon me and forgive me all my Sins and receive my Poor Soul into the Kingdom of heaven i send my best love, thanks and Good wishes to all friends that Came up on my trial to Speak for me i do want to see all my family as often as i can do before i die you Can See me any week day but you will have to bring this letter with you and go to the Leeds Town Hall and enquire for Mr John Thornton magistrates clerk and he will give you every information yo require to see me you cannot see me without an order from him So to Save time and trouble go and see him before you Come to the Prison.

I send my Dearest love to my Dear, dear Wife and all of you my loving children.

I am

Your Wretched Husband and Father,

CHARLES PEACE.

Then on the 19th February, the confession to Mr. Littlewood.

Farewell interviews with various members of his family; but not with "Mrs. Thompson," who was not allowed to see him; possibly Peace would have said to her things unkind, especially if he had been shown the following letter. She put in her claim for the reward of £100 :—

Charles Peace.

March 11th, 1879.

To Mr. Cross
Home Sect.

Whitehall
London

Sir

I hereby beg to make formal application for the reward 1 Hundred pounds offered on the conviction of Charles F. Peace. the information was given by me to inspectors Bonny & Philips of the R devision on Nov 5th 1878, in the presence of Mr. & Mrs. Brion the treasury have instructed me to make this claim to your dept.
awaiting your favourable consideration

I am yours
respectfully

F BAILEY, alias
S THOMPSON

P.S. will you very kindly address me by the name of Mrs. Daly as I do not want to be known. I have suffered so much.

Then came the day before. His cell was filled with a sound of hammering. Said he—" That's a noise that would make some men fall on the floor. They are working at my scaffold." Told that it was not so, he replied—" I am not mistaken. I have not worked so long with wood without knowing the sound of deals; and they don't have deals inside a prison for anything else than scaffolds."

To his wife he presented a funeral card he had designed, bearing the words—

In
Memory
of
Charles Peace
who was executed in
Armley Prison
Tuesday, February 25th,
1879. Aged 47.

For that I don but never
intended

XX.

Peace awakened after his last sleep, which was calm, at six o'clock of a cold and frosty morning. He wrote more letters, all

Charles Peace.

breathing Christian resignation. Ate a hearty breakfast, but complained of the quality of the bacon.

Said he to a warder—"I wonder if Marwood could cure this cough of mine."

Remaining overlong in the lavatory, he answered to the knocking of the warder. "You're in a hell of a hurry; are you going to be hanged or am I?"

Then he smoked his clay pipe with sedate satisfaction.

To Marwood he said, "I hope you will not punish me. I hope you'll do your work quickly," receiving the reply, "You shall not suffer pain from my hand." To which Peace replied, "I hope to meet you all in heaven. I am thankful to say my sins are all forgiven."

Then to the gentlemen of the press, who were present—

"Gentlemen, you reporters, I wish you to notice the few words I am going to say. You know that my life has been base and bad. I wish you to tell the world what my death is. I ask—what man could die as I die if he did not die in the fear of the Lord? Gentlemen, tell all my friends that I feel assured that my sins are forgiven me, and that I am going to the Kingdom of Heaven, or else to that place where people rest till the great judgment day. I have no enemies that I feel anything against on earth. I wish that all my enemies would do so to me. I wish them well; I wish them to come to the Kingdom of Heaven, to die as I die. To one and all I say good-bye, and Heaven bless you, and may you come to the Kingdom of Heaven at the last. Say my last wishes and my last respects are to my dear children and their dear mother. I hope that no person will disgrace himself by taunting them or jeering them on my account, but will have mercy upon them. God bless you, my dear children; good-bye, and Heaven bless you. Amen. Oh, my Lord God, have mercy upon me!"

And so—the end.

APPENDICES.

APPENDIX A.

THE LETTERS, &c., ALLEGED TO HAVE BEEN WRITTEN BY MRS. DYSON TO CHARLES PEACE.

[A statement has been made, upon what authority I do not know, that Mr. Dyson had seen these letters and had declared them to be forgeries. This is scarcely likely to have happened. Peace declared again and again that they were genuine.—Ed.]

I.

A VISITING CARD, bearing the name "Mr. Arthur Dyson." On the reverse was written—"Charles Peace is requested not to interfere with my family."

II.

ANOTHER VISITING CARD, on which "Mr." has been altered to "Mrs." and these words written—"After he is going out I wont go if I can help it. So see me. Love to Janey."

III.

ON A CARD—"I will write you a Note when I can, perhaps to-morrow. You can give me something as a keepsake if you like, but I don't want to be covetous and take them from your Wife and Daughter. Love to all."

Note.—It has been said that Mrs. Dyson admitted that part of this letter was in her handwriting.

IV.

"I dont know what train we shall go by for I have a good deal to do this morning will see you as soon as I possibly can I think it will be easier after you move he wont watch so. The r—g fits the little finger many thanks love to Janey I will tell you what I thought of when I see you about arranging matters. I think it well. Excuse this scribbling. Hello (?)*"

V.

LETTER—"If you have a note for me send now while he is out, but you must not venture for he is watching, and you can't be too careful. hope your foot is better, he went to Sheffield yesterday, but I could not see you any where. Were you out? Love to Jane."

* Probably "Love."

Charles Peace.

VI.

LETTER—"Saturday Afternoon. I write you these few lines to thank you for all your kindness, which I shall never forget, from you and your wife. She is a very good one. Does she know you are to give me the things or not? How can you keep them concealed? One thing I would wish you to do is to frame his mother's photograph, and send it in with my music-book. If you please, do it when he is in. Many thanks for your kind advice. I hope I shall benefit by it. I shall try to do right by every one if I can, and shall always look upon you as a friend. Good bye. I have not much time. Burn this when you have read it."

VII.

WRITTEN ON AN ENVELOPE—"I have just run out of writing paper excuse the envelope. Many thanks for my book don't mind framing the picture let him have it without as I have nothing to say in the matter. I will thank your wife as soon as I have a chance to see her for her kind present tell her so with my love. I was very sorry to hear your quarling, hope it is all settled now and having to hear the readings you should be quiet. You have a good wife be kind to her. This was written yesterday but could not see you."

VIII.

AN ENVELOPE CONTAINING A CENT PIECE.

IX.

AN ENVELOPE, addressed—"C. Peace."

X.

AN ENVELOPE, addressed—"C. Peace."

XI.

ON A SLIP OF PAPER—"He wont say when he is going. Not to-day anyhow he is not very well. I will write to you when I have a chance and put you in the work."

XII.

ON A SLIP OF PAPER—"Things are very bad for peple told him every-thing. Do keep quiet, and dont let anyone see you. Money send me some."

XIII.

LETTER—"How well you never told that man I looked at you out of the window. You left me to find out for myself would not put me on my guard as I do you. hope you won't omit again. don't talk to Willie much or give him any half pys don't be a fool. it looks as if you want people to know the way you and —— if you are not more careful we will have to say quits I have told you not to say anything until * * * *

Appendix A.

XIV.

LETTER—"Mrs. Norton is raising hell about what I — can you settle it and send me a pint that is—her to let me have a pint he is gone out come now for I must have a drink. I love and * * *

XV.

LETTER—"Dear sir,—Are you at home or not for I can't see you. I looked for you yesterday when I went to Sheffield but could not see you, and don't like to send if you are not in, because I know Janey have not seen you all day; but he has not been out. You are getting very thick with old Ned don't blab anything to him for it will be all over. Never speak of me. I will not send this till I know you are at home. Hope you are well and don't fret but I will give you the wink when the coast is clear but you must not take notice till I tell you or you will make a mess of it because he is always on the look out. Don't know when he will go out again but will sure* tell you. Love to G—— b burn this."

XVI.

ON A SLIP OF PAPER—"He only went for tobacco and he has not been out. I shall tell you when he does. You must not say I am Dr. when I am not for I don't thank you for you form that opinion. I shall go to Ireland if you dont be—— I am washing to-day so he wont be out perhaps. Get me paper, love."

XVII.

ON A SLIP OF PAPER—"Give it to me up in the garret† but don't talk for fear he is not going only his sister is coming, love to all."

XVIII.

ON A SLIP OF PAPER—"Have you got your handkerchief I lost mine —— thanks for this money —— must be careful and not show anything or I will let you starve."

XIX.

ON A SMALL HANDBILL—"I think I will go by nine o'clock now, you must not go by train, go by tram because he will go down with me dont let him see anything of you. Meet me in the Wicker hope nothing will turn up to prevent it. Love to Janey."

XX.

ON A SLIP OF PAPER—"be quick —— you —— he is out now."

* An Americanism, scarcely likely to be used by Peace.

† Next door, over an empty house.

Charles Peace.

XXI.

ON A SLIP OF PAPER—" If you are not at home Janey will give you this do be careful you will get yourself into trouble about the empty house don't come until I tell you there is a man over the wall says he will give you hell now I tell you this as a friend so as you may be on the lookout for your familyes."

XXII.

ON A SLIP OF PAPER—" Will you send me a shilling or two and a drop and keep very quiet, be quick."

XXIII.

ON A SCRAP OF PAPER—" Send me a drink. I am nearly dead."

XXIV.

ON A SLIP OF PAPER—" he is out now so be quick Fanny as —— let us have a look at you."

Note.—Modern scientific methods would have settled this question of the handwriting beyond cavil.

APPENDIX B.

THE DYSON INQUEST.*

The inquest on the body of Mr. Arthur Dyson, civil engineer, who was murdered on the night of Wednesday week by Charles Peace, at Banner Cross, Friday, 8th December, 1876, at the Stag Inn, Sharrow Head, before Mr. Wightman, coroner.

KATHERINE DYSON,† widow of the deceased, said—I live at Banner Cross, and am the widow of the deceased, who was a civil engineer. I have been married to him ten years. We were married at Cleveland, Ohio. I came to England with him three years since, to the best of my recollection, and we first lived with his mother at Tinsley. We removed from there to Highfield about two years ago. We lived there four or five months, and from there we removed to Alexandra Road, Healey. From there we went to Darnall, and from there to Banner Cross, where we had lived six weeks. We went there on 26th October.

By the CORONER—Was there any special reason for your leaving Darnall? What I want to get at is this—Did you know a man named Peace before you left Darnall?—Yes.

When did you first get to know him?—About ten months ago.

Where at?—At Darnall.

Was he living there at that time?—Yes. He moved there from Sheffield.

Did you know him before then?—No, sir; I never saw him before.

And you were living there when he came to Darnall?—Yes.

Did he come to live near you?—Yes, the second door from us.

Two doors from you?—Yes; no, one door from us.

The next door?—The next door but one.

What was his Christian name?—Charles Peace.

Was Charles Peace an intimate friend of your husband, or how did you get to know him?—He just came in as a neighbour. He used to want to take the child in to play with him, and we got acquainted in that way.

Was he in the habit of coming to your house?—Yes.

Did he come almost daily?—Yes.

Perhaps he did come daily?—At one time he did. He used to come in, perhaps, at some time of the day.

Did your husband and Peace become friendly; did they go together?—He wanted my husband to go with him, but he would not.

* From the *Sheffield Independent*, 9th December, 1876.

† It is worth while collating this lady's evidence at this inquest with that given by her before the magistrates, see p. 67, and at the Trial, see p. 120.

Charles Peace.

Where to?—To Sheffield.

Did he want him to go more than once?—Yes.

Did your husband never consent to go with him?—No, sir.

Did your husband go into his house, or did Peace come into yours?—He used to come in to see us. But when my husband came to know him he never liked to have anything to do with him, because he did not like him.

That was so? Your husband did not like him, and never went to his house, did he?—Yes, he had been in.

How do you know he did not like him?—Because he said Peace was not gentlemanly enough for him to take to.

He said he was not a gentleman?—Yes.

When you left Darnall was Peace still living there?—No, he left when the summons was issued for him last July.

What was that about?—For threatening my life.

That was in July of last year?—Yes.

Tell me how it came about that he did threaten your life?—We would not have him come into the house; and it annoyed him a good deal when we would not speak to him.

Who caused that, you or your husband?—Both of us.

Which of you first proposed it; do you remember?—I cannot exactly tell. I think we made up our minds together.

About July of last year?—Yes.

Who told him he must not come?—Mr. Dyson.

Can you give me any special reason why your husband told him he must not come to your house?—Because my husband thought he was a man of bad reputation; at least he had heard so.

About July of last year your husband told him he was not to come to your house any more, did he?—Yes, not to interfere with him or his family.

Mr. Dyson, brother of the deceased—Mr. Coroner, she says July of last year; she means July of this year.

By the CORONER—About July last your husband told him not to come to your house, and not to interfere with him or his family?—Yes.

Had there been any quarrel with him then?—No.

Just look at that card, if you please. Take it in your hand and look at it.

(The coroner handed to the witness a card of Mr. Dyson, on the back of which was written, “Charles Peace is requested not to interfere with my family.”)

The WITNESS, after looking at the card, said—That is my husband's writing.

By the CORONER—Do you know what was done with it? Was it given to Peace by any one?—Not to my knowledge; I don't know that it was given to him.

You never saw it before?—I had a copy of it at the same time.

But you do not remember that being given by your husband to Peace?—No; but I remember my husband telling me he had written it and thrown it in his garden.

Appendix B.

He threw it in?—Yes.

You don't know the reason why that quarrel took place?—There was no quarrel at all. My husband said he was a man of bad reputation, and that he did not like his language.

Did Peace say anything about it? Did he complain of having been forbidden to come to your house?—No; but he still continued to annoy us.

In what way did he annoy you?—By coming to our door.

What did he do there?—He used to listen.

When, then, did your husband take any other steps for preventing him from coming?—He consulted a lawyer, and he said we could not do anything unless—

Do you know who the lawyer was?—Mr. Chambers.

Did Peace continue to come?—Yes, he continued to follow Mr. Dyson and to annoy him whenever he went out.

He followed Mr. Dyson when he went out?—Yes.

Had Peace's coming to your house and annoying you anything to do with your removing from Darnall?—Yes, it had.

Do you mean to say you removed in consequence of Peace, then?—Yes.

Entirely?—Yes, we removed entirely on that ground.

Was Peace in the habit of coming to your house when your husband was away?—He was not there when we removed, because he had not put in an appearance since last July, when the warrant was issued for him.

Had you anything to do with the issuing of the warrant for threatening your life?—It was I who had it issued for him.

When was that?—On the 4th July last.

How came he to threaten your life?—That I do not know.

Did he want you to do anything, or want you to go anywhere with him?—Yes.

Where to?—To Manchester.

Was it in July he wanted you to go to Manchester?—Yes.

Had he ever written to you at that time?—No.

And you refused to go then?—Yes.

When you refused to go what did he do then?—He threatened my life.

Tell me what he did and what he said?—I cannot exactly remember.

As near as you can?—He said if I did not go with him he would always continue to annoy me as long as I lived.

In what way did he threaten your life?—With a revolver.

Did he present it at you?—Yes, he held it within 6 inches of my face.

Where were you?—In front of my own door.

Where was your husband then?—My husband was in my house.

Was Peace's wife living there then?—Yes.

Tell me what he said when he presented the revolver at you?—He said he would blow out my bloody brains and those of my husband also.

It was in consequence of that threat that you took out a peace summons?—Yes.

Your husband took it out, I presume?—No, I did.

Charles Peace.

To appear at Sheffield was it?—Yes. He never appeared to the summons, and a warrant was issued in consequence.

In default of his appearance?—Yes.

Was he ever apprehended under this warrant?—No.

Then did he go away, or continue to live there?—He went away, he disappeared.

Don't you know where he went to?—No, I do not.

And he never was apprehended on this warrant at any time?—No.

Don't you know where he went to?—No, I do not.

How long did he remain away?—Up to the time—I never heard or saw anything of him until the night we removed to Banner Cross, the 26th October. He then made his appearance, and said he would still continue to annoy us.

Was that the day you removed?—Yes.

To where?—To Banner Cross.

Where did he turn up? Where did you see him?—He came out of Mr. Gregory's door.

At Banner Cross?—Yes.

On the very same day you removed?—Yes.

Did your husband see him?—Yes, he saw him walking down the middle of the road.

Did Peace speak to you or to your husband first? Now, tell me as nearly as you can what he said?—He said, "You see, I am here! And I shall follow you wherever you go, and annoy you."

Was there any quarrel between your husband and Peace then?—Nothing except the warrant.

Yes, but I mean when you got to Banner Cross?—No, my husband never spoke to him.

You are pretty sure of it?—Yes, quite sure.

Your husband did see him, did he?—Yes, he saw him, but he never spoke to him.

During the time that he was away, when this warrant was out against him, did he never write to you?—Yes, he pretended to write from Hamburg.

Do you produce the letters?—No, I have not got them at present.

He wrote, dating his letters from Hamburg?—Yes.

Did he write frequently? More than once?—Two letters, I believe. I believe he wrote three; one to me, threatening me if I went to give evidence.

Have you any reason for believing that he never was in Hamburg when he wrote them?—I believe he was not, and that he only did it for a cover.

When did you see him next after that?—On the night that he threatened my life.

When was that?—On the last night when he threatened to shoot me.

Was that the night on which the deceased died?—Yes, on Wednesday night. I do not remember the day of the month.

Don't you know what day of the month it was?—No, I cannot remember the date.

Appendix B.

The CORONER—What day was it?

Inspector BRADBURY—The 29th November.

By the CORONER—You are quite sure it was on the day on which your husband died?—Yes, it was on the Wednesday.

Now, what time of the day did you see him first?—At a quarter past eight exactly.

At night?—Yes.

Where?—In our yard.

Where was your husband?—Sitting in the room reading.

Had you not heard from Peace at all, by letter or anything?—No.

You are quite sure of that?—No, I had never heard from him in any shape.

Where was it where you saw him?—At the closet.

What time did you go out of the house?—Just a quarter-past eight.

Where is the closet?—At the end of the house, coming in from the road.

How long do you suppose you were in the closet?—Two minutes, to the best of my recollection.

When you came out, where did you see him?—As I opened the door about a foot.

To come out?—Yes.

What did you see?—I saw him with a revolver in his hand, faced before me.

You saw Peace at the door in the yard?—Yes, quite close to the door.

And he presented a revolver at your face, did he?—Yes.

What did he say?—He said, “ Speak, or I will fire.”

What did you do?—I screamed and shut the door.

Was it dark?—No, it was not dark, it was light.

And you had not the slightest doubt as to its being Peace?—No, I have not the slightest doubt that it was he, because I saw him.

Had you a candle or a light?—I had a small lantern in my hand.

And you can swear without any doubt at all that it was Peace?—Yes.

When you screamed, what then?—My husband ran to my assistance.

Did you see him come?—I heard him, but I did not see him.

You have no doubt he did come?—Oh, no.

What became of Peace?—Peace fired at my husband when he ran to my assistance.

Where did Peace go when your husband came to your assistance?—He went down the passage.

Did he walk down or run down?—He ran down.

Did your husband ever get near to him?—Yes, I think so.

Did you see your husband try to get hold of him at all? Do you think he ran after him with the intention of getting hold of him?—That I do not know.

When your husband came you had shut the door?—Yes, and when he came I came out.

When Peace went down the yard your husband went after him, but whether with the intention of catching him or not you don't know?—No.

Charles Peace.

He followed Peace?—Yes.

Can you tell me whether Peace ran or walked?—He was walking when I saw him.

Down the yard?—No. After he had shot my husband he went across the road.

Wait; we have not got to the shooting yet. I want to know whether, when he went down the yard, he was walking or running?—He walked.

Did your husband walk or run?—He walked.

Walked after him?—Yes.

You cannot say whether your husband attempted to get hold of him or not?—No, I cannot.

Did you follow your husband?—Yes.

Did you see anything of your husband when he came into the yard before there was any shooting?—No. We never spoke to each other; we never saw each other. I was in the closet, and my husband came out and saw what was the matter.

Then do you suppose your husband saw Peace going down the yard?—Yes, I suppose he did.

Do you think he did?—Yes.

Then he followed Peace, and you followed your husband?—Yes.

Well, now, what then?—He followed, and Peace shot him.

Where?—At the end of the passage, just by the cottage.

Did you see him fire, or merely hear the shot?—I heard him fire, and saw my husband fall.

How many shots did you hear?—Two.

Were they quickly repeated, or was there time between the shots?—There would not be a second; instantly, almost.

How far were you from your husband at the time?—About a yard or so.

No more than a yard when he fell?—No.

What did you do?—I fell by the side of him and spoke to him, but he would not answer me, and I thought he was only stunned.

Now, just tell me, can you undertake to swear who fired those shots?—Yes.

Who?—Charles Peace.

Did you see him?—Yes.

You are quite sure you saw him?—Yes.

What did he do when he had fired?—He ran across the road, and then turned and looked back to see if he should fire again; but the people were rushing out then.

He looked back to see what?—To see if he should fire again, I expect.

As though doubting whether to fire again?—Yes.

What did you do; did you remain at your house?—Yes.

What became of Peace, as far as you could see?—He ran into the garden on the opposite side.

Did you see him get over the wall?—Yes.

Have you ever seen him since?—No.

Nor heard from him?—No.

You are quite sure of that?—Yes.

Appendix B.

How long did your husband live?—About an hour.

Did you see any wounds on him?—Yes.

Where?—One on the left temple.

In your opinion, was that wound made by a bullet?—Yes.

Was he in good health previous to that?—Yes.

Has there been any quarrel between you and your husband with regard to Peace?—No; we did not quarrel with regard to him.

You are quite sure your husband never quarrelled with you on account of your familiarity with Peace?—No.

You are sure of that?—Yes.

You are quite sure of that?—Yes.

Has he never complained of your speaking to Peace at all?—He did not wish me to speak to him.

Has he never found fault with you for doing so?—No, he did not find fault with me, because when he told me not to speak to him I did not.

Did Peace's wife live with him all the time you were at Darnall?—Yes.

All the time?—Yes.

When did she remove from Darnall?—About two months ago, I should think.

When Peace left Darnall did you live near to his wife?—No, she went before we did.

Where did they go to then?—That I do not know.

You do not know where she went to live?—No.

Do you know where she is living now?—At Hull.

How do you know?—A police officer informed me.

Didn't you know before that?—No.

The CORONER (*to the jury*)—Will you ask any questions, gentlemen, of this witness?

By Mr. LANGSTAFFE—Did you not make the observation that Peace walked across the road?—Yes.

Then I think the next time you said he ran across the road?

By the CORONER—Did he walk or run across the road after he had shot your husband?—It was a quick walk. He turned round when he got into the middle of the road.

I have got it down that he ran across the road. It does not matter very much. Did he walk or run?—It was neither running nor walking. I cannot describe it exactly.

I do not think it is fair to press you very much on that point. When a wife sees her husband shot she may be confused, and probably you would be. You cannot say positively whether he ran or walked?—No, I cannot say; but he went at a very quick speed.

Did you see anybody about? Was there any one else about when he ran across the road?—Yes, one man was coming down the street.

How far off?—About 4 or 5 yards, I should think.

Did you see a boy at all?—Yes.

Where?—On the side walk on the opposite side.

Charles Peace.

How near was the boy to the best of your recollection?—I cannot tell you that; he might have been some yards off.

Was it a long distance?—No. He was so near that he was able to see Peace. I do not know who the boy was, but I saw him afterwards.

Inspector BRADBURY handed to the coroner a packet of letters and cards, who asked the witness if she knew in whose writing some of them were?—She replied that she did not, and she had never seen them before.

By the CORONER—Did you ever lend Peace a book?—No, never.

(*To the Jury*)—Here are a lot of letters, gentlemen, but they are not addressed, and it is difficult to say what bearing they have upon the case.

Inspector BRADBURY—Several of the envelopes are addressed to Peace.

By the CORONER—Did Peace never write to you at all?—No.

You are quite sure of that?—No.

He never wrote to you at any time?—No.

He never wrote asking you to meet him?—No.

The CORONER—I suppose some one will give evidence as to where these letters came from?

Inspector BRADBURY—Yes.

The CORONER—The difficulty, gentlemen, is to know what to do with regard to these letters. They are not addressed. There is one here, but I really don't like to read it, because it does not say whom it is to. It says, "I write you these few lines to thank you for all your kindness," and so on. It is not addressed to any one, and it may have been written by Mrs. Dyson or it may not have been. (*To Witness*)—Did you ever write a letter to Peace in your life?—No. I have never written to him.

Neither on a scrap of paper nor anything?—No.

Never wrote a word to him on paper at all, do you mean to say?—No.

Now, just be careful, please. Do you mean to swear that you never wrote a word to him on paper?—No; I never wrote to him on paper.

Never at all?—No.

The CORONER—I do not know where all these letters came from.

Inspector BRADBURY—A constable found them the next morning in a field, somewhere near to where Peace got over the wall. He (Peace) had been up in the neighbourhood, to Mr. Newman's,* and the Prince of Wales', and other places, showing these letters. He said Mrs. Dyson wrote them to him at different times, when he lived at Darnall.

A JURYMAN—Are they all in one handwriting?

The CORONER—Some are in pencil and some in ink. There is one card, in Mr. Dyson's handwriting, cautioning Peace not to annoy his family. Tell me (handing a letter to the witness) whose handwriting that is?—I do not know.

You do not know whose it is?—No.

Is not that (handing her another letter) in your handwriting?—No, it is not mine, sir.

Can you write?—Very little. I never do write hardly.

The CORONER here put the letters and cards into Mrs. Dyson's hands, and asked if she could identify the writing on any of them.

* A near-by clergyman, with whom he had a strange interview.

Appendix B.

Mrs. DYSON picked out one of her husband's visiting cards and said the writing upon it was his.

The CORONER—That is the one we have already seen. It is a card of Mr. Dyson's, on which is written, "Charles Peace is requested not to interfere with my family."

Mrs. DYSON next picked out a letter, and said the writing might be Peace's, but she could not say positively.

By the CORONER—Do you know his handwriting when you see it?—Yes, and this looks like the letter we received.

You say you have never written to him; has he ever written to you?—No, he has written to my husband; and this is similar to the other letter we got.

What other letter?—The threatening letter which he wrote from Hamburg. I have not it here; it is at Mr. Chambers's office.

Inspector BRADBURY said he believed that Mr. Chambers had shown one or two letters to Mr. Jackson,* and that he (Mr. Jackson) would have been present to-day but for the death of a brother.

The CORONER (*to Witness*)—I understand you to say that, with the exception of the threatening letter, he never wrote to you or you to him?—No. The threatening letter was written to my husband.

I understand Peace never wrote to you either a threatening letter or anything else?—No; the letter was meant for both of us.

Did Peace ever come into your house whilst your husband was away?—Yes, he came to the door and threatened me.

Was that the only time, whilst your husband was away?—No, he was in before, and his daughter used to come in sometimes.

THOMAS WILSON, Brincliffe Hill, a lad, seventeen years of age, said—Between a quarter and half-past eight on the night of the murder, as I was standing against Mrs. Roberts' shopdoor at Banner Cross, I heard two shots fired. I was then about 30 or 40 yards from Mr. Dyson's door, but I was not aware at that time that he lived there. The shots were fired in quick succession, and immediately afterwards I saw a man run across the road and get over a wall into some gardens. I heard Mrs. Dyson scream after the shots were fired. I could not tell who the man was, or whether he was old or young. He was dressed in dark clothes. The screams came from a woman, and I ran to her, to Dyson's entry. I then saw Mrs. Dyson holding the deceased's head from the ground. There was blood on the ground, but I could not see where it came from. I ran for a doctor, and when I got back I saw the deceased in his house. He was then alive, and was sitting in a chair. The people were bathing a wound in his head.

By the CORONER—Do you think you could identify the man who ran across the road if he were produced to you?—No, I don't think I could; I don't think I had ever seen him before. He was dressed in dark clothes.

By the JURY—He had gone across the road before I started to go to Mr. Dyson's house. The moon was covered by a cloud, and it was

* Mr. J. Jackson, chief constable of Sheffield.

Charles Peace.

raining a little. I do not think I could identify the man who ran across the road. That part of the road where the man crossed over it is between two lamps, the nearest being about 30 yards distant.

JAMES WILLIAM HARRISON, surgeon, said—I was fetched about nine o'clock on the night of the murder to see Mr. Dyson. I found him sitting in a chair. He was talking, but was insensible. As he was losing blood fast, I had him immediately laid on a mattress, and then examined a wound on the left temple. He never recovered consciousness, and died in my presence at about a quarter to eleven o'clock. Mrs. Dyson was present, and also a man named Gregory. I have since made a post-mortem examination, assisted by Mr. John Benson. I found a bruise on the nose and chin, as if the deceased had fallen on his face. The wound on the left temple was about an inch above the external orbit of the eye, and I could pass in the little finger right through it to the skull, and into the brain. There was a quantity of effused blood between the skull and the scalp. Upon taking the scalp away from the skull, I found a circular opening in the skull about an inch in diameter. The opening went through the anterior inferior angle of the parietal bone. The ball went through the brain in a direction upwards and backwards through the left lobe, and was found lodged on the upper surface of that lobe. The bullet (produced) was flattened. The fact of its being so flattened is, in my opinion, caused by its coming in contact with the bones above mentioned. The bullet went obliquely and took an upward direction. From this latter fact I imagine the man who fired the shot was in a lower angle than the deceased. The appearance of the bullet leads me to the conclusion that it was a conical one, but I cannot say it was so positively. I did not make a sufficiently minute examination to say whether the deceased was a healthy man, because the presence of the bullet in the brain fully accounted for death and for all the symptoms I saw.

In answer to the coroner, Mr. Harrison said the direction in which the ball went was not such as would be likely to be the case if the deceased had fired the pistol himself.

MARY ANN GREGORY said—My husband's name is John Gregory. He lives at Banner Cross Terrace, and keeps a grocer's shop. I knew the late Mr. Dyson. Our house is next door to his. We were in the habit of seeing him almost daily. I knew his wife. They appeared to be living on good terms with each other. I remember their coming to live at Banner Cross Terrace. It was on the 26th October, I believe. On the evening of the same day I saw the man Peace. He came to our shop a little before eight o'clock. He was rather short and slightly built. I can't say whether he told us his name, or whether it was Mrs. Dyson who afterwards told me. I believe I never heard of his name until after the murder. He appeared to be fifty years of age. He asked for half an ounce of tobacco, and got it. My husband went and talked to him. He did not talk to me. I saw him again a week ago last Wednesday evening, the 29th November. It was as near seven o'clock as I can remember. He asked to see Mr. Gregory, but I told him he was out.

Appendix B.

Peace then asked when he would be in. I said I could not tell to ten minutes or a quarter of an hour, but that I expected him every minute. I asked him if he had any message for him. He said no; he (Mr. Gregory) did not know his name; he would only know him if he saw him. He did not, however, come again. Mr. Gregory told Mr. and Mrs. Dyson of Peace's first visit to our house. When Peace first came to see us he told Mr. Gregory he had some advice to give us, as we had some new neighbours coming. He told us the Dysons would get into debt if they could, and would not pay; and said he wished to put us on our guard. He also said they were very bad people, and he had got letters and would send them to Mr. Gregory. He said he would not send his own address, but his mother's, and the letters could be sent to her. He did not send us any letters, and he did not bring any; for he never came from that night till the night of the murder. On the night of the murder he went out of our house a little before seven. He did not appear excited or in any way unusual. He was dressed in black, with a good deal of white about his necktie. It appeared to have a brown stripe in it. It looked only brown and white. His hat I could not be certain about. After he left I wished Mr. Gregory would come, and I looked out for him. About five minutes after Peace left I went to the door, and saw Peace creeping down as slowly and quietly as possible, as if he did not wish to be seen. He was just stepping out of the passage from the garden into the little yard, and I saw him go into the road. He crossed the road and went down. I watched him as far as I could see. Mrs. Colgreaves afterwards came in. I asked her if she had met such a man, and she said she had. She advised me to lock the door, and I did so, because I considered him a suspicious character. She looked out and saw him creeping down the yard again. Some time afterwards, in about an hour, I heard a woman scream. I opened my door. I knew it was Mrs. Dyson, because I had heard her go forward in the back yard towards the closet. As I opened the door Mr. Dyson was at his door, just as if stepping out. I said, "Mr. Dyson, go to your wife." He said "Yes," and went down the yard as quickly as possible. Then I heard a noise like a bang. I did not know what it was. I heard two sounds like a bang. I did not know what to do I was so frightened. When I had seen Mr. Dyson I locked my door. I heard then bringing him up the passage, and I then went out and saw several men. I went into Mr. Dyson's. Mrs. Dyson was bathing his face. It was after the murder that I heard Mrs. Dyson calling the man "Peace." I heard some one ask her if she knew who it was—who the man was who had shot her husband? She said his name was Peace, and she knew him very well. Peace never told me anything about Mrs. Dyson. I believe I would know him again if I saw him.

By the JURY—When I saw Peace creeping along it was down the front that leads into the road.

Mr. H. DYSON—You asked, Mr. Coroner, whether it was possible for my brother to have shot himself? All I have to remark is, that had he done so he must have been a left-handed man, according to the position of the wound in the left temple; and my brother was not a left-handed man.

Charles Peace.

Mrs. SARAH COLGREAVES, wife of a table-blade maker, at Dobbin Hill, a short distance off the main road in the direction of Greystones, said—On the night of the murder, about half-past seven o'clock, I was on my way to Mr. Gregory's shop. On the main road I met a man with white pointed whiskers, who seemed to be about forty-five years of age. I could not describe his features, or how he was dressed, except that he had dark clothes. He asked me if I knew "who lived in the second house up?" I replied that I did not. He then asked me if I knew they were strangers, and I said "Yes." He then said, "You don't know them," and on my again replying that I did not, he made use of a remark implying that he was on too intimate terms with her. I told him he ought to be careful what he said, and especially to strangers. He then said, "Would you mind going to the door and saying that an elderly gentleman wished to see her?" I said he must go himself. I then left him at the lamp, a few yards from Mr. Gregory's door. He was then walking slowly up, and was a short distance from the Dysons'. I stayed in Gregory's shop about ten minutes, and as I was leaving I saw him come out of the passage to Mr. Dyson's house, and cross the road. He then went up the hill and I never saw him again.

CHARLES BRASSINGTON, who lives at Lane End, said—On the evening in question, as he was standing near Mr. Stainforth's shop at Banner Cross, he saw a man walk several times backwards and forwards. The man appeared to be "oldish," but he could not say how he was dressed. Ultimately the man stood near the stone yard, and then asked him where he lived, and witness told him a little distance up the road. He then asked him if he knew that any strangers had come in the neighbourhood; and, on his saying that he did not, the man said they were a nuisance to the country. When they got to a gas lamp the man pulled out some likenesses and showed them to him.

By the CORONER—Photographs, do you mean?—Yes.

What kind of photographs were they?—I did not notice them much. One of them was the likeness of a man; another, that of a woman, and he showed me one with two persons on it.

Were they indecent pictures; were the figures in an indecent position?—No, they were dressed. As I was leaving him he caught hold of my sleeve, and asked me to read some letters. I told him that I would not. He then said, "He would make it warm for them before morning," and that "he would shoot them both."

The Coroner endeavoured, but without success, to induce the witness to give the exact words made use of by Peace, but he could not get in reply anything beyond that "he would do for them before morning." Witness added that he imagined the man referred to Mr. and Mrs. Dyson.

CHARLES WHYMAN, a quarryman, living at Ecclesall, said—On the 29th November I was at Banner Cross, and heard the report of a pistol or something. I was in the front room of the Banner Cross Hotel. It was about half-past eight. I was six doors off Mr. Dyson's house. There were others in the room. I heard two shots. I went to the door and heard a

Appendix B.

woman squealing "Murder." I went down to her. It was Mrs. Dyson. Mr. Dyson was lying on his back on the outside of the entry. Mrs. Dyson was holding his head up from the ground. She said, "The villain has shot my husband, and he's gone across the road." I did not see him. I went across the road to see if I could see anything of him, but did not.

Police Constable GEORGE WARD proved having found the letters produced. He picked them up in Mrs. Else's grass field, opposite to Mr. Dyson's house. They were all in a roll, but not tied with a string. He saw some feet marks within 4 or 5 yards of the letters. He also saw where a person had got over the wall into a garden opposite the entry end, leading to the deceased's house. The impressions were those of a light boot, without nails. In an envelope, addressed "C. Peace, Esq.," he found an American cent coin. The envelope was addressed in lead pencil, and the writing was very faint indeed.

Mrs. DYSON was here recalled, and was asked by the coroner if she was not an American? She replied that she was not, but had lived for some time in America.

Just look at that coin (the cent piece). Where did you see it last?—I could not say where I have seen that, because I have seen several like it.

Do you know where Peace got it?—No.

Did you not give it to him?—No.

Didn't you ever give him a coin at all?—No.

Have you any doubts at all—I didn't ask you this question before—that Charles Peace was the man who shot your husband?—Not the slightest. I will swear he is the man that shot him.

And that you saw him do it?—Yes.

Tell me what you saw him by?—By the light of the lantern in my hand.

How far were you from him when he shot your husband?—About 3 or 4 yards.

Did you see him quite distinctly?—Yes.

Did you speak to him?—No.

The CORONER then summed up. He said he did not intend to call any more evidence, as in all probability the jury would come to a conclusion upon that which had been brought before them. As it was, there had been a very full inquiry into the death of the man Arthur Dyson. Inspector Bradbury, he was bound to say, had got up the case exceedingly well, and had brought forward apparently every person who knew anything about the matter, and whose evidence could be of the slightest importance in the inquiry. Indeed, the only thing he had not done, and that he ought to have done, was to apprehend Peace. He had no doubt, however, that he had tried his best to do so. The jury had first of all to consider how the deceased came by his death, and then whether any party, and, if so, who, was to blame in the matter. With regard to the cause of death, they would no doubt consider the evidence of the medical man, Mr. Harrison, quite conclusive. Mr. Harrison had made a post-mortem examination, and he

Charles Peace.

said the cause of death was a bullet in the brain, and the bullet was produced. They would, therefore, be satisfied that the cause of death was the firing of a bullet from either a gun or a pistol, and the question was, who fired it, and how came the deceased to be shot? The evidence was really very conclusive, and he did not think he needed to trouble them with any remarks about it. The evidence began with that of Mrs. Dyson, the widow, who identified the body; and she was really a most important witness. She had sworn before them that on the 29th November she went out into the yard to the closet, and that there she saw a man, who, she declared, was Peace. She also stated that he presented a revolver to her, and used some words; that she then screamed, and that her husband, the deceased, then came out, no doubt brought thither by the scream and going to the assistance of his wife. She swore that then and there she saw a man whom both she and the deceased had known previously, and known intimately and well, shoot her husband, and there could be no doubt that was true. There was a lot of evidence following as to who this man was, Peace having been seen in the neighbourhood. It was true that none of the other witnesses identified him as Peace, because none of them appeared to have known him before. However, her description of Peace and the description given by the other witnesses of the man whom they saw in the neighbourhood, and who was heard by one of the witnesses to say that he would shoot them both, quite coincided. There was no contradiction in the evidence given by Mrs. Dyson about Peace and the description of the man who was seen in the neighbourhood by the other witnesses. The question was whether the jury believed that the man Charles Peace was sufficiently identified before them to justify them in returning a verdict of wilful murder against him. Of course, he need not tell them—he was quite sure they knew sufficient of the law to know that if the man Dyson was shot by Peace it was, and must be, wilful murder. Whether malice was sufficiently proved before them or not did not matter. The law assumed that there was malice if a man killed another wilfully; and consequently the only verdict they could return would be one of wilful murder. He thought the only serious question they had to consider was whether the man was sufficiently identified before them to justify them in swearing that it was Peace who shot the man. Now, he was inclined to think it was, and they most likely would be of the same opinion. Putting Mrs. Dyson's evidence on one side for a moment, all the other evidence, and especially that of Mrs. Gregory, who was certainly an important witness, was very clear. Mrs. Gregory declared that the man Peace went into her shop, and during the conversation with him she was evidently alarmed, and had an idea that the man was a bad character, and was there in the neighbourhood for no good; for she swore that she locked the door to protect herself, before she heard any of the screams or shots. It really appeared to him to be beyond any doubt that the man Peace—if the jury were satisfied that it was Peace—went there for no good. He was hanging about the place, and evidently had a pistol with him. He could not see that they could come to any other conclusion than that Peace went there, having a pistol in his possession, with the determination to shoot either

Appendix B.

one or both of the parties; and especially when they took into consideration the evidence of the young man who had sworn that a man, whom, however, he did not definitely identify as Peace, said, "He would do for them both before the morning." All that the jury had to do was to satisfy themselves first as to whether Mr. Dyson was killed by a shot, and, if so, whether the man Peace did it. If they were, they could only return a verdict of wilful murder against him.

The jury did not wish the evidence to be read to them, inasmuch as it was very clear, and, after deliberating a few minutes with closed doors, they returned a verdict of wilful murder against Charles Peace.

APPENDIX C.

TRIAL OF HANNAH PEACE.

CENTRAL CRIMINAL COURT.

TUESDAY, 14TH JANUARY, 1879.

(Before Mr. Commissioner Robert Malcolm Kerr.)

HANNAH PEACE, fifty-eight, described as a married woman, was indicted in the name of Peace, alias Ward, for feloniously receiving seven pocket-handkerchiefs and a quantity of other articles, the proceeds of different burglaries committed in the neighbourhood of Blackheath last year by a man named Peace, who she alleged was her husband, well knowing the same to be stolen.

Mr. DOUGLAS STRAIGHT* and Mr. TICKELL prosecuted for the Treasury; Mr. FORREST FULTON† and Mr. WILLIAM AUSTIN METCALFE defended.

Mr. STRAIGHT said—The facts were very simple and they had been very recently before the public. There was no doubt but that the prisoner had been living with a man named Charles Peace for a great many years. This man had committed numerous burglaries in the vicinity of Blackheath, and was now undergoing a term of penal servitude for life in respect of them. Shortly after his apprehension the prisoner also was taken into custody in the neighbourhood of Sheffield. The police there visited the house of her son-in-law,‡ where they discovered a large quantity of property, the proceeds of the burglaries, and this was claimed by her. There would be no question as to this. The matter in dispute was as to the prisoner being the wife of the man Peace. She contended that she was, and that as such she was acting under authority and dealing with the property as he directed. It would be for them (the jury) to consider whether, even supposing that she was his wife, she was not taking an active and independent part in the disposal of the property. At the time she was removing it Peace himself was in custody in London.

Formal evidence was then given as to the numerous burglaries having been committed, and the property was identified as the proceeds of them.

HENRY PHILLIPS, police inspector, T.—I am attached to the Criminal Investigation Department. John Ward, alias Charles Peace, was convicted last November of shooting at a police constable; he was arrested on 10th October, 1878. From inquiries I made I went down to Darnall, which is

* See *ante*, note on p. 56.

† Sir Forrest Fulton, K.C., Recorder of London, 1900; b. 1846; d.?

‡ Bolsover.

Appendix C.

about 5 miles from Sheffield, on 5th November. The house I went to was occupied by William Bolsover, his wife, sister, the prisoner, and Willie Ward. I sat down and had some conversation with them, and told them I had come from Peckham. I turned and saw a clock on the drawers, which I knew from a description to belong to Miss Dodson, of Blackheath. Inspector Twybelle came in, and I told the prisoner and Bolsover that the clock was stolen property, and I should take charge of it. The prisoner said, "I did not know that it was stolen. A tall man gave it me about five weeks ago." I told her a man who lived at Peckham had been remanded, and she said, "He has been a great deal of trouble to me and seems to harass my life wherever I go." I searched the house and found various articles which have been identified by different persons. When the other inspector was about to open a box, the prisoner said, "Never mind that box, Mr. Twybelle. I know what you want. I will give it you." We opened the box and took from it a large parcel containing about forty articles. We took the residue of the property, and I charged her with receiving the property knowing it to be stolen. She replied, "I did not know it was stolen." She was taken before the magistrate on 13th November. On the 14th I went to Bolsover's house again and found the articles identified by Mr. Shapley. The prisoner gave her name as Hannah Peace, and her son said in her presence she was married at St. George's Church, Sheffield.* She did not contradict it. I brought a big box up to London, too large to bring here, which I showed to Pickering and to Mrs. Belfit. The prisoner said the old man burnt her marriage certificate some time ago.

EMMA SHAPLEY—I am the wife of William Gordon Shapley, of Seymour Lodge, Peckham. On the night of 23rd September, 1878, we discovered that about £25 worth of wearing apparel had been stolen. I identify these articles as the same (produced).

JOHN BONNEY, inspector, R., said—On 5th November, 1878, I went to Mrs. Belfit's, 11 North Street, Nottingham, where I saw a small red box open, and in it I found a pickle-fork, which has been identified by Mrs. M'Donald. I also found the seven handkerchiefs and tablecover which have been identified by Mrs. Shapley. At Peckham I had twenty spoons twenty-four forks, and two scoops handed to me.

LOUISA NEWMAN said—I am cook to Mr. Charles Thomas Perry, of Richmond Lodge, Honor Oak Road, Forest Hill. On the night of 5th August, 1878, I went to bed, leaving the house safe, and next morning I found that it had been entered. Amongst other things we missed two caskets, one tortoiseshell and one cornelian, value about £30 or £40.

FREDERICK STANLEY said—I live at Arbutus Lodge, Denmark Hill, In September, 1877, I was at Brighton, and on my return I missed, amongst

* Search in the register at this church proves this statement to have been untrue. Why was not Hannah made to prove she was Peace's wife?

Charles Peace.

other things, two dessert knives, one dessert fork, and a pair of bracelets. These are the articles (produced).

SAMUEL SMITH said—I am a builder's foreman, of 68 St. Mary's Road, Peckham. In May, 1878, I had a house, 5 East Terrace, Evelina Road, Peckham, to let. Four persons called on me with reference to it—the prisoner (who passed as Mrs. Ward), Mr. and Mrs. Thompson, and Willie Ward. I asked for references, and I went to their old residence. I gave them possession of the house; it was let to the man, in the name of John Thompson. In October I went to the house and found all the occupants gone and the back door open. The house was empty. I had received no notice from them and never got the keys.

Cross-examined—It was after 10th October I found them gone, and after I heard of the burglaries. I saw Mr. and Mrs. Thompson in the house early in October.

HENRY FORSEY BRION said—I live at 22 Phillip Road, Peckham Rye. On 23rd September, 1878, I called at 5 East Terrace, and saw the Thompsons, Willie Ward, and the prisoner. Thompson is the man, I believe, who was afterwards tried here as Ward. Thompson said to Mrs. Thompson, "Sue, will you fetch the fowls for this gentleman to see?" and as I was on the point of leaving the room he said, pointing to Mrs. Thompson, "That is my wife." The prisoner was present; she made no reply. I frequently went to the house from May to August. The Thompsons appeared to be living as man and wife. On 1st November I received a letter in the name of John Ward, and I came to Newgate to see the man. It was a most imploring letter, to know if I would go and see him. While there I saw Mr. Sidney Smith, the governor, and lots of questions were put to me to see if I knew the man. I did not know the writing or the name, but he was the man I had known as John Thompson. When I ceased visiting them they called at my house on one occasion, when Mrs. Thompson was introduced as Mr. Thompson's wife, and the prisoner as Mrs. Ward. In consequence of a communication made to me I wrote to Mrs. Belfit, who then lived at 11 North Street, Nottingham. I received a red box from her.

ROBERT MAPLESON said—I am chief warden of Her Majesty's Gaol of Newgate. A man who was committed in the name of Ward was under my custody; he was tried at this Court for attempting the life of a police constable on 10th October, and sentenced to penal servitude for life, I saw the last witness visit him.

ELIZA MARY ANN COLLINSON DADSON said—I am the daughter of Mr. Campbell Dadson, and live at 5 Kidbrook Terrace, Blackheath. On the night of 3rd August, 1878, I missed this clock, which had been stolen. There was much more valuable property stolen as well.

Cross-examined—This is only worth a few shillings.

ELIZABETH M'DONALD said—I am housekeeper to Mr. Bourchier, of 10 Kidbrook Villas, Blackheath. On the night of 10th August, 1878, the house was broken into, and I missed a pickle-fork and an Indian tablecover.

Appendix C.

THOMAS PICKERING said—I am a porter in the service of the London, Chatham, and Dover Railway Company at Nunhead. On 11th October, 1879, in consequence of a message I received from another quarter, I went to 5 East Terrace, Evelina Road, Peckham, when I saw a woman whom I believed to be the prisoner. In consequence of what she said I took three boxes to the station, and had them labelled for King's Cross. I have since seen one of the boxes, a large one, at Bow Street. One was a small brown box, which I nailed down. The woman and the boxes went by the 5.55 train.

Cross-examined—I was in the woman's company about three minutes. She followed behind to the station. I saw her on the platform. I do not swear to her; there were other females there.

ELIZA BELFIT said—I am the wife of Robert Belfit, of Great Freeman Street, Notting Hill, N. On 5th November, 1879, I was living at 11 North Street, Nottingham. On that day Police Inspector Bonney called on me. Prior to that Mrs. Thompson, between twelve and one o'clock, accompanied by the prisoner, who Mrs. Thompson introduced as Mrs. Ward, called. I could not accommodate them, and they stayed till four or five o'clock and went by an early train. I accompanied them to the station, where Mrs. Ward got two boxes from the cloakroom—one large one—which were lifted into the railway van. I have seen a box at Bow Street like the large one. She afterwards went for two other boxes, which she asked me to take to my house. One of them was a small red box. She said they belonged to her and her daughter, and that the red box was an old family relic, and would I take care of it. I took the boxes home, and about a fortnight after Mrs. Ward came to my house again and took something out of the box. There was a paper parcel in the red box. When Inspector Bonney came in November I saw him open the red box and take out some plate and a tablecloth. On 25th November my daughter handed the parcel to Mrs. Brion, I having received a letter from Mr. Brion, and on 3rd December, in consequence of a letter I received, I sent the small red box to Mr. Brion at Phillip Road, Peckham Rye. This is the box (produced).

Cross-examined—I have seen Mrs. Thompson this morning, not here.

Re-examined—I knew her as living at 5 East Terrace, Evelina Road, with a person named Thompson, as his wife. .

ALICE BRION said—I am the wife of Forsey Brion. I went to the house of Mrs. Belfit on 25th November, and received this parcel from her daughter (produced), which I handed to Inspector Bonney.

Cross-examined—My daughter has been living with me since the prisoner was taken into custody. I understood Mrs. Thompson lived with Peace, and that they were Mr. and Mrs. Thompson. I had often seen the prisoner at 5 East Terrace; she occupied the position of a lodger in the house, having two rooms upstairs and a back kitchen, and Mr. and Mrs. Thompson occupied the rest of the house as man and wife. There was no servant in the house to my knowledge; the prisoner did not act as their servant in my presence, and I never heard them say she was their servant.

Charles Peace.

CECILIA KARCHER said—I am housekeeper to Mr. Wood, whose house was broken into on 20th August, 1878, and I missed this silk dress and these other articles (produced).

WILLIAM BOLSOVER said—I live at 4 Hazel Road, Darnall, near Sheffield, and am a miner. I knew the prisoner when she lived at Darnall. Jane Ann Peace lived with her and passed as her daughter. She at that time lived with Charles Frederick Peace. I married the girl on 8th January last (i.e., 1878), at Hull. Charles Frederick Peace was not present. Last Whit Monday I came to London with my wife, and went to 5 East Terrace, Evelina Road, where I saw Peace living as Mr. Thompson with a woman who passed as Mrs. Thompson; a lad named Willie lived there. I stayed there eight or nine days and went home. The prisoner and Willie took their meals alone, and Mr. and Mrs. Thompson in another part of the house. On 12th October the prisoner came to my house at Darnall and said she had left a large box at the station, Sheffield. She said she had seen something in the paper relating to a man who was apprehended, and she supposed it was her husband. I took her in, and on the following Monday I went to Sheffield and brought her box, which was heavy. The box I have seen is the same. There were eventually two brought to my premises. I saw them searched. All the things that have been identified as found on my premises had been brought there by the prisoner. I had nothing to do with them.

Cross-examined—Peace represented that he was the father of my wife, and I had no doubt about it until these proceedings. He gave me some money on Whit Monday. I believed Peace and the prisoner to be man and wife, and my wife to be their daughter. She had lived with them from infancy. At that time Mrs. Thompson was not brought on the scene to my knowledge.

Re-examined—I knew them as living together at Darnall for perhaps two years; that would be about 1873 or 1874. Peace then went away, and I lost sight of him. His daughter informed me that he had been to Hull. I never saw him again till about twelve months ago last Easter, at Hull, in the street. My wife married in the name of Peace.

JOHN PINDER TWYBELL said—I am an inspector of police at Sheffield. On 6th November, 1878, I assisted Phillips in searching Mr. Bolsover's house. I left Phillips, and afterwards returned to the house. I saw the prisoner, Mrs. Bolsover, Willie Ward, and Bolsover. I said to Bolsover, “We have found a large quantity of property in your house which we have good reason to believe is stolen; there is a clock there which Mr. Phillips identifies as part of the proceeds of a burglary at Blackheath; how do you account for it being in your house?” He said, “I know nothing of it.” I said, “It is stolen, and you will have to account for it.” The prisoner said, “I brought it from Hull five weeks ago, a tall woman brought it to me,” that a friend had sent it to her house. She said, “I don't know her,” and she said the other property was hers nearly two years ago. I collected all the property, and assisted in the search on 14th November. Some time between the 6th and 14th

Appendix C.

she said she was married at St. George's Church, Sheffield, in the name of Hannah Ward, to Charles Peace, the year before her daughter was born, who was nineteen years old; that her husband had burnt the certificate; and that the two witnesses to the marriage, John Clark and Clara Clark, were dead.

Cross-examined—When I had that conversation with the prisoner the man Peace was in custody, and it was before the public that he was concerned in the burglaries, and he was committed for trial.

Mr. FULTON submitted that there was no case to go to the jury, inasmuch as the presumed marriage between the prisoner and Charles Peace had not been disproved by the prosecution.

The learned judge said he considered that the onus of proof was on the prisoner to prove that she was married, but he pointed out that the evidence so far led to the inference that she might be married.

Mr. FULTON then urged that the prisoner ought not to be convicted, as it was a principle of law that a married woman was supposed to act under the direction of her husband.

Some technical discussion followed.

A consultation was then held between the Commissioner and Mr. Justice Hawkins upon a point of law, and in the result the Commissioner stated that Mr. Justice Hawkins concurred with him in the opinion that he had formed, namely, that the charge against the prisoner could not be supported, as there was reasonable evidence to show that the prisoner was Peace's wife, and, as such, acted under his authority.

The JURY eventually expressed an opinion that they were satisfied that the prisoner was the wife of Peace, and returned a verdict of not guilty.

The prisoner was discharged.

Note.—The above trial is not only interesting in itself, but sheds light upon Peace's activities.

SERIES OF
NOTABLE BRITISH TRIALS

SERIES OF NOTABLE BRITISH TRIALS.

INTRODUCTION.

“The annals of criminal jurisprudence exhibit human nature in a variety of positions, at once the most striking, interesting, and affecting. They present tragedies of real life, often heightened in their effect by the grossness of the injustice and the malignity of the prejudices which accompanied them. At the same time real culprits, as original characters, stand forward on the canvas of humanity as prominent objects for our special study. I have often wondered that the English language contains no book like the *causes célèbres* of the French, particularly as the openness of our proceedings renders the records more certain and accessible, while our public history and domestic conflicts have afforded so many splendid examples of the unfortunate and the guilty. Such a collection, drawn from our own national sources, would exhibit man as he is in action and in principle, and not as he is usually drawn by poets and speculative philosophers.”—*Burke*.

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The Trial of Captain Porteous. (1736.)

Edited by WILLIAM ROUGHEAD. Dedicated
to the Hon. LORD ARDWALL.

The trial of Captain John Porteous, "a name memorable in the traditions of Edinburgh as well as in the records of criminal jurisprudence" (Sir Walter Scott), took place in July, 1736, and in view of the strange and far-reaching events by which it was attended is certainly one of the most remarkable that ever came before the High Court of Justiciary. The editor has been fortunate enough to find in the British Museum and Public Record Office much unpublished material, throwing light upon what Professor Hume Brown, in his *History of Scotland*, describes as "one of the most dramatic incidents in the national history." Much new matter has also been obtained from the Records of Edinburgh Town Council and other original MSS.

The Annesley Case. (1743.) Edited by ANDREW LANG.

The Annesley Case, in which James Annesley claimed to be the legitimate heir of Arthur, third Lord Altham, was tried in Ireland in November, 1743. The claimant, James Annesley, if his story be true, enjoyed a life of adventure and romance that is seldom met with outside the pages of fiction. His early years were none too happy, and on the death of his father, Lord

Altham, he was destitute of all friends and depended upon the charity of others for his livelihood. The Earl of Anglesey, the defendant in the case, then came forward and claimed the title of Lord Altham, as brother and heir to the deceased lord, upon the supposition that the late lord had died without male issue. About four months after the death of the late Lord Altham, James Annesley was, through the instrumentality of the Earl of Anglesey, kidnapped, sent to America, and there sold for a common slave. He remained in this condition for a number of years until the story of his unfortunate life reached the ears of those who helped him to return once more to Great Britain, and there his case was taken up with such vigour as to enable him to obtain a verdict in his favour at the hands of the judges and jury before whom the case was tried.

The Trial of Lord Lovat. (1747.) Edited by
DAVID N. MACKAY. Dedicated to the Right
Hon. DONALD JAMES, LORD REAY.

Lord Lovat's trial in 1747 and his condemnation to death for treason marked the close of an epoch in Scottish history, the end of the clan period in the Highlands. When a hundred and seventeen peers answered, with weary monotony, "Guilty, upon my honour," the public career of the last Scottish clan dictator came to an end. Thenceforward the name "chief" was to be a thing of polite conceit, except when the bearer had other claims to respect. Till then clan feeling had been a matter of vital importance, now it was to become one of the sentiments.

The Trial of Mary Blandy. (1752.) Edited
by WILLIAM ROUGHEAD. Dedicated to LORD
DUNSANY.

The heroine of this eighteenth century *cause célèbre* was convicted at Oxford Assizes in 1752 for the murder of her father at Henley by poisoning him with arsenic. Her defence was that she gave him the drug believing it to be a love philtre, with the view of making him "kind" to her lover, Captain Cranstoun, and removing his opposition to their marriage. Cranstoun escaped and died abroad, leaving the partner of his crime to pay the penalty. The introduction gives from contemporary sources a full account of the whole circumstances, which afford a graphic view of eighteenth century life and manners. The official report of the trial is reprinted verbatim, the appendices contain much new and unpublished material from the British Museum and Record Office, &c., and the illustrations include reproductions of all the known portraits of Mary Blandy.

The Trial of James Stewart. (1752.) Edited
by DAVID N. MACKAY. Dedicated to
ALEXANDER CAMPBELL FRASER.

The outlines of the story of James Stewart's life in Duror of Appin are familiar to all students of Scottish history and of those splendid romances by Robert Louis Stevenson—"Kidnapped" and "Catriona." In view of the importance and interest of the case, the publishers have included in this edition a full reprint of the evidence and speeches so far as available, prefaced by a carefully written introduction, and followed by biographical and other appendices which will enable the reader to realise the political and local surroundings of the story.

Eugene Aram: His Life and Trial. (1759.)
By ERIC R. WATSON, LL.B., Barrister-at-Law.

In the year 1744-45 Daniel Clark was murdered at Knaresborough. In 1758 his bones were found and Eugene Aram arrested. In the following year he was tried and condemned for the murder. Bulwer's famous novel and Tom Hood's poem have kept this mystery alive, but it has remained for the present volume to present this famous case in its true light.

The Douglas Cause. (1761-1769.) Edited by
A. FRANCIS STEUART, Advocate. Dedicated to
the Hon. LORD GUTHRIE.

The "Douglas Cause" is probably the greatest civil trial affecting *status* that Scotland will ever know, and no trial of its time created so great a sensation or aroused so much popular feeling. The Cause lasted in all for eight years. In 1761 Archibald Steuart or Douglas was served heir, as nephew, of the late Duke of Douglas. This service was at once challenged by the tutors of the Duke's heir male, the young Duke of Hamilton, who alleged that Archibald Douglas had no right to the Douglas estates, being a *supposititious* child. The legal proceedings came to their first halt in 1767, when the Court of Session—the fourteen judges of which were equally divided—gave, by the vote of the Lord President only, their judgment against the popular hero, young Douglas. He appealed to the House of Lords, and in 1769 had the satisfaction of being replaced in his position as heir to the Duke of Douglas, though not without the protest of five peers.

The Trial of Katharine Nairn. (1765.) Edited
by WILLIAM ROUGHEAD. Dedicated to
EDMUND LESTER PEARSON.

The case of Katharine Nairn is one which presents innumerable points of interest to the criminologist and the psychologist. A girl of nineteen, daughter of a Perthshire baronet, Sir Thomas Nairn of Dunsinna, she married Thomas Ogilvy of Eastmiln, a bonnet-laird and small farmer, more than twenty years her senior, in January, 1765. Four months afterwards he died suddenly, and suspicions that his wife had poisoned him, with the connivance of his brother, Lieutenant Patrick Ogilvy, culminated in their arrest on a double charge of incest and murder. The Trial of Katharine Nairn, which took place at Edinburgh in August, 1765, is one of the most celebrated of Scottish *causes célèbres*, but until now has been available to very few. Mr. Roughead has discovered a mass of new material relating to the trial, all of which is here set forth. In addition to an exhaustive introduction, there are numerous appendices containing matter now published for the first time, along with a portrait of Katharine Nairn, and invaluable facsimile reproductions of the actual handwriting and signatures of many concerned in this strange case. The book, apart from its interest for the lawyer and the layman, sheds a strong light upon the extraordinary, often incredible, customs of the time, and should prove a mine of valuable information to students of the period and all lovers of romance.

The Trial of Deacon Brodie. (1788.) Edited
by WILLIAM ROUGHEAD. Dedicated to the
Hon. LORD DUNDAS.

The trial of William Brodie for breaking into and robbing the General Excise Office for Scotland took place on 27th and 28th August, 1788. No more picturesque and striking figure than Deacon Brodie ever appeared at the bar of the High Court of Justiciary, and the story of his strange career, as unfolded in the course of the trial, is as entralling as any romance. The double life which he so long and successfully led—as a respected citizen and town councillor by day, and by night the captain of a band of housebreakers—was the wonder of the Edinburgh of his time, and is still remembered as a triumph of skilful duplicity. His fame has acquired fresh lustre from the interest which his character aroused in Robert Louis Stevenson, who embodied Deacon Brodie in a play and owed to him the original conception of *Dr. Jekyll and Mr. Hyde*.

The Trial of Abraham Thornton. (1817.)

Edited by Sir JOHN HALL, Bart.

On the morning of Whit Tuesday, May 27th, 1817, the body of Mary Ashford was found in a pond near Sutton Coldfield. The surrounding circumstances suggested that she had been criminally assaulted and murdered. The night before she had attended a village dance at which Abraham Thornton, a young man in a somewhat superior station of life, had paid her marked attentions. Public opinion with one voice pronounced him guilty. Nevertheless, at the subsequent assizes at Warwick, he was acquitted. So unpopular was this verdict that an obsolete process of law was revised, an appeal of murder was "sued out," Abraham Thornton was re-arrested and had to plead at Westminster Hall to a charge of which, three months earlier, he had been declared "not guilty" by a jury of his countrymen. The legal arguments occupied the attention of Lord Ellenborough and three of his learned brethren for several months, and when at last Thornton was discharged the feeling against him was still so strong that he was obliged to emigrate to America. The scandal of these proceedings led the Attorney-General to bring in a bill, which was placed upon the statute book in 1819, abolishing appeals of murder and the ordeal by battle. If for no other reason, therefore, Abraham Thornton's trial is memorable as having brought about a change in the law. But to most people this aspect of the case will be overshadowed by the human interest attaching to the story. For to this day the actual circumstances of poor Mary Ashford's death can only be a matter of conjecture.

The Trial of Henry Fauntleroy. (1824.)

Edited by HORACE BLEACKLEY, M.A.(Oxon.).

When Henry Fauntleroy, the banker, was brought to trial for forging a power of attorney on October 30, 1824, it caused the greatest excitement throughout the whole of Great Britain. The accused man was a gentleman of position, and the crime with which he was charged was punishable by death in the open street at the hands of the common hangman, and, according to the newspapers, Fauntleroy had led a most luxurious and dissipated life. The evidence at the trial was clear to conclusive; the criminal had swindled the Bank of England to the amount of £265,000; he was found guilty and condemned to death. Great efforts were made to secure a reprieve, without success, and the unfortunate banker was hanged in front of Newgate Prison, on November 30, 1824. This volume of the "Notable Trials" Series contains the fullest report of the Fauntleroy trial

that has yet been published together with a full account of his very interesting career and a complete description of his various forgeries. His pedigree is given and many contemporary portraits. There are also lengthy accounts of the lives and crimes, based upon most elaborate research, of the following forgers, most of whom suffered the penalty of death:—John Ayliffe, John Rice, Daniel and Robert Perreau, Dr. William Dodd, William Wynne Ryland, Henry Cook, Henry Weston, John Hadfield, Joseph Blackburn, Henry Savary, Captain John Montgomery, Joseph Hunton, Rowland Stephenson, M.P., Thomas Maynard.

The Trial of Thurtell and Hunt. (1824.)

Edited by ERIC R. WATSON, LL.B., Barrister-at-Law. Dedicated to Sir HARRY B. POLAND.

The trial of Thurtell and Hunt at Hertford Assizes on 6th January, 1824, before Mr. Justice Park, for the murder of Mr. Weare in Gill's Hill Lane, near Elstree, is probably now best remembered by the familiar lines which contain a succinct account of the tragedy:—

His throat they cut from ear to ear,
His brains they battered in ;
His name was Mr. William Weare,
He lived in Lyon's Inn.

But, in its day, it was the subject of universal interest, and Sir Walter Scott himself visited the scene of the crime. The present volume gives, for the first time, a full account of the whole circumstances of the murder, together with a verbatim report of the legal proceedings, which resulted in the conviction of both prisoners. It is illustrated with many rare portraits of the persons concerned, views of the locus, &c., and forms a complete and authentic report of one of our most famous criminal cases.

Burke and Hare. (1828.) Edited by WILLIAM ROUGHEAD. Dedicated to Professor HARVEY LITTLEJOHN. [Also a Limited Edition, price, 25/- net, containing the whole proceedings against Hare, and several additional Appendices].

The names of Burke and Hare are familiar as household words wherever the English language is spoken. The magnitude of their crimes—they confessed to a minimum of sixteen murders—established a record in homicide. These miscreants, incited by

Notable British Trials Series.

the large sums paid by anatomists for subjects for dissection, conceived the scheme of establishing in Edinburgh a sort of murder factory, in order regularly to supply surgeons with material. Throughout the year 1828, the business was successfully conducted, the purchaser in every instance being the notorious Dr. Knox, the extra-mural rival of the Professor of Anatomy. The discovery of their last crime resulted in the apprehension of the gang, including Burke's mistress, M'Dougal, and Hare's wife. Owing to the difficulty of securing a conviction the Crown was forced to accept the Hares as King's evidence. At the trial Burke was found guilty and M'Dougal was acquitted.

The Trial of William Palmer. (1856.) Edited by GEORGE H. KNOTT, Barrister-at-Law. Dedicated to Sir HARRY B. POLAND. Second Edition, edited by ERIC R. WATSON, LL.B.

The trial of William Palmer, which took place in May, 1856, was, in the opinion of Sir James Stephen, the eminent jurist, one of the greatest trials in the history of English law. The events which led up to the trial occurred in November, 1855, at Rugeley, in Staffordshire, where Palmer, who was about thirty-one years of age, had been a medical practitioner until two or three years previously. Mr. John Parsons Cook, whom Palmer was charged with poisoning, was a young man of about twenty-eight, who had been articled as a solicitor, but he inherited some £12,000 and did not follow his profession. He also went on the turf, kept racehorses, and betted, and it was in this common pursuit that Palmer and Cook became acquainted. Three judges were appointed to try the case: a very rare occurrence in England. The bar on each side was exceedingly strong, and during the course of the trial some of the most celebrated chemists and physicians were called upon to testify either for or against the prisoner. In the end Palmer was found guilty of the crime charged against him and suffered the last penalty of the law.

The Trial of Madeleine Smith. (1857.) Edited by A. DUNCAN SMITH, F.S.A.(Scot.). Dedicated to the Hon. LORD YOUNG.

Madeleine Smith, the daughter of a well-known and respected citizen of Glasgow, was tried at Edinburgh in June, 1857, for the murder of Pierre Emile L'Angelier. When still young Miss Smith made the acquaintance of L'Angelier, who was a clerk in a Glasgow warehouse and much below her in social station. From the first

their association was of a clandestine nature ; meetings and interviews became frequent, and when these were found impracticable, affectionately worded missives were exchanged. On her becoming engaged to a gentleman in her own station of life Miss Smith endeavoured to get back from L'Angelier the compromising letters she had written him, but without success. At the trial of Miss Smith which followed the sudden death of L'Angelier the case for the Crown was that death was due to arsenical poisoning, and that on several occasions Miss Smith had supplied L'Angelier with cocoa or coffee poisoned with arsenic.

The Trial of Mrs. M'Lachlan. (1862.) Edited by WILLIAM ROUGHEAD. Dedicated to ANDREW LANG.

This case created an enormous sensation in its day, and is still remembered by its once famous name of "The Sandyford Mystery." After the prisoner had been convicted of the murder of her friend and fellow-servant, Jessie M'Pherson, the Government took the unusual step of appointing a Crown Commissioner to take fresh evidence to test the truth of a statement the prisoner had made after the verdict of guilty had been returned against her, with the result that the sentence of death was commuted to penal servitude. The action of the Government was the subject of lengthy debates in the House of Commons. The dramatic scene in which the convicted woman in the dock denounced the chief witness for the Crown as the actual murderer is unparalleled in the records of criminal trials.

The Trial of Franz Muller. (1864.) Edited by H. B. IRVING. Dedicated to LORD HALSBURY.

On the night of Saturday, the 9th of July, 1864, a suburban train on the North London Railway arrived at Hackney about ten minutes past ten o'clock. A passenger who was about to enter a compartment noticed it was covered with blood, and in the carriage a hat, stick, and bag were found. About twenty minutes past ten on the same night a driver of a train noticed the body of a man lying on the six-foot way between Hackney Wick and Bow stations. The unfortunate man was still alive, but his skull had been fractured, and late the following night he expired from his injuries. Great public indignation was aroused by the crime, and the inquiries which followed resulted in suspicion falling upon a man named Müller who was found to have left London for America. He was followed by two detectives and subsequently

arrested on board the "Victoria" when it arrived in New York harbour. An eminent array of counsel were engaged in the case, and after a four days' trial Müller was found guilty and sentenced to death. Müller suffered the last penalty of the law on the 14th November, 1864.

The Trial of Dr. Pritchard. (1865.) Edited
by WILLIAM ROUGHEAD. Dedicated to Sir
DAVID BRAND.

Dr. Pritchard was a well-known medical practitioner in Glasgow, where he resided with his wife and family. He was charged with the double murder of his wife and mother-in-law by poisoning them. After a trial which lasted five days and abounded in sensational incidents, Pritchard was found guilty, and was executed on 28th July, 1865, this being the last public execution in Scotland. The amazing hypocrisy of Dr. Pritchard affords a psychological study of high interest. Seldom has a more cruel and crafty miscreant graced the gallows. The sensational evidence of Dr. Paterson, who had seen the victims when alive and believed that they were being poisoned, yet maintained that it would have been contrary to medical etiquette for him to have interfered to save their lives, was one of the features of the trial.

The Trial of the Wainwrights. (1875.) Edited
by H. B. IRVING and Sir EDWARD MARSHALL
HALL, K.C.

The trial of the Wainwright brothers for the murder of Harriet Lane was one of the most notorious cases of the early seventies. It was tried at the Central Criminal Court, London, before Lord Chief Justice Cockburn on 22nd November, 1875, and resulted in the conviction of both prisoners. Henry Wainwright, a married man with a family, had long led a double life, and when his affairs became embarrassed he determined to rid himself of his mistress, Harriet Lane, who was pressing him for money. His brother, Thomas, under the assumed name of Frieake, pretended that he was going to provide for her. On 11th September, 1874, she left her lodgings and was never seen again alive. To her relatives Wainwright said that she had gone off with "Frieake." Exactly twelve months afterwards Wainwright was apprehended in the act of transferring from a cab to his brother's business premises two parcels which were found to contain the dismembered body of a female. At his own place of business in Whitechapel Road a

grave was found in which the remains had been buried for a year. The murder was committed with a revolver, the three shots from which had been heard by workmen in an adjoining yard. But for Wainwright's folly in leaving the parcels in the custody of an innocent third party while he himself went in search of a cab, it is probable that the crime would have remained a mystery. The defence denied the identity of the body with that of the missing woman ; but the facts were too strong for them, and Henry was sentenced to death, Thomas to seven years' penal servitude.

The Trial of The Stauntons. (1877.) Edited
by J. B. ATLAY, Barrister-at-Law. Dedicated
to Sir EDWARD CLARKE, K.C.

The case of the Stauntons, or, as it was more generally known, the Penge mystery, will always rank among the English *causes célèbres* of the last century. It aroused at the time an amount of excitement and interest among all classes of the community for which it would be hard to find a parallel. The case was tried in September of 1877 at the Old Bailey before Sir Henry Hawkins, recently appointed to the bench, and lasted for a week. There were four prisoners on trial, Louis Staunton, his brother, Patrick Staunton, Mrs. Patrick Staunton, and Alice Rhodes, a sister of Mrs. Patrick Staunton. They were charged with the murder of Mrs. Louis Staunton by starvation and were all found guilty and sentenced to death. Strong representations, however, were made to the Home Secretary by the leaders of the medical profession in favour of the hypothesis of natural disease and the prisoners were reprieved, though only on the day before the date fixed for their execution. Alice Rhodes, against whom there was practically no evidence of anything but adultery, was at once released ; the Stauntons were sentenced to long terms of penal servitude.

The Trial of Eugene Marie Chantrelle.
(1878.) Edited by A. DUNCAN SMITH. Dedicated
to Sir HENRY D. LITTLEJOHN.

The trial of Eugene Marie Chantrelle, for the murder of his wife by poison, occupies a conspicuous position in the annals of Scottish criminal jurisprudence. The evidence in the case was almost entirely circumstantial, and it undoubtedly derived its force from a continuous series of particulars, any one of which, in itself, would have justified no more than a mere suspicion against the accused. Mr. Aitken Ransome in an article in the *Bookman* said: "Although nothing is written in the way sen-

sational novelists believe it necessary to write in order to produce curiosity and excitement, no book for a long time has so detained me against my will. And why? Simply because its form is the best conceivable for the development of a single sensation and the gradual scientific exposition of an extraordinary type of mind."

The Trial of Kate Webster. (1879.) Edited by ELLIOTT O'DONNELL. Dedicated to Sir HARRY BODKIN POLAND, K.C.

In Mr. Elliott O'Donnell's introduction to this volume, which he has edited, there is set forth as much as could be gathered together of the history of Kate Webster, the murderer of Miss Thomas, of Richmond, from the day of her birth to the moment of her execution. It also contains many original and striking comments on her character and references to certain analogous cases, *i.e.*, in which other female servants have murdered their mistresses. The trial, at which Sir H. B. Bodkin, K.C., to whom this volume is dedicated, appeared for the prosecution, is given in full. In reading these pages it is easy to understand why the trial not only excited such an almost unparalleled sensation at the time, but left behind it a panic so great and continuous, for, apart from the barbarity of the crime itself and all its appalling accompaniments, the case presents various novel features. For example, there is the clever impersonation of the murdered woman by the murderer; the very ingenious manner in which the murderer tried to incriminate several innocent men, and very nearly succeeded; the extraordinary nature and number of her statements and confessions, and her very exceptional personality and psychology. These and sundry other features combined in imparting to the case a grim fascination that is, perhaps, unique.

The Trial of the City of Glasgow Bank Directors. (1879.) Edited by WILLIAM WALLACE, Advocate.

The trial of the City Bank Directors ranks in the estimation at least of the layman, if not of the professional lawyer, as probably the most important which has taken place in Scotland. The magnitude of the financial crisis brought about by the collapse of the Bank, the social standing of the Directors to whose hands the management of it was entrusted, the startling nature of the evidence adduced by the prosecution, all combined to invest the trial with an interest which is not surpassed in the annals of our criminal jurisprudence.

**The Trials of Charles Peace. (1879.) Edited
by W. TEIGNMOUTH SHORE.**

Charles Peace holds a very distinguished place in the annals of British crime, presenting an entrancing personality to students of criminology and of criminal psychology, and his Trials are far from uninteresting from the purely legal point of view. Burglar, murderer, and a very minor artist; callous, brutal, remorseless; yet, somewhat like Robin Hood, almost a figure of admiration to the populace in his own days and in ours. For the writing of his life the materials are ample, but too frequently of poor quality. Around famous men legends rapidly gather and are useful when they are fairly contemporary; for their general character is sure to be consonant with that of the man himself. The legend of Shakespeare's deer-stealing would not have been invented, certainly would not have survived, if the poet had been incapable of poaching or had been notoriously no sportsman. In the pages of this volume a stern attempt has been made to present facts only, and a vast mass of gossip and irresponsible assertions has been rejected. Much has been written about Charles Peace, but this account may be taken as the first attempt to present faithfully the man and his work; every attainable source of information has been tapped, with the result that much new matter has been discovered and many fables scotched.

**The Trial of Dr. Lamson. (1882.) Edited
by HARGRAVE L. ADAM. Dedicated to Sir
CHARLES MATHEWS.**

Dr. Lamson was tried in the year 1882 for the murder of his nephew, Percy Malcolm John. This is one of the few cases recorded where the poison used was aconitine. John, although nineteen years of age, was at school when the poison was administered to him, the motive for the murder being some small property which he had, and which would partly revert to Dr. Lamson on his death. The trial took place before Mr. Justice Hawkins, and Lamson was found guilty. Although great pressure was brought to bear, especially from America, to obtain a commutation of the sentence, he was eventually hanged.

**The Trial of Mrs. Maybrick. (1889.) Edited
by H. B. IRVING. Dedicated to the Hon. Sir
WILLIAM PICKFORD.**

James Maybrick, a Liverpool cotton broker, died at his residence, Battlecrease House, Aigburth, on Saturday, the 11th of

May, 1889, under mysterious circumstances. He was fifty years old at the time of his death. A suspicion had arisen in the minds of some of those attending on Mr. Maybrick during his illness that his wife was attempting to poison him. She was arrested after his death, and tried for his murder at the Liverpool Assizes. She was convicted, and sentenced to death on the 7th of August, 1889. On the 22nd of August this sentence was commuted by the Home Secretary to one of penal servitude for life. Mrs. Maybrick served fifteen years of imprisonment, and was released on the 25th of January, 1904. The justice of Mrs. Maybrick's conviction was gravely questioned at the time, and has been the subject of criticism ever since.

The Trial of Thomas Neill Cream. (1892.)

Edited by W. TEIGNMOUTH SHORE.

Thomas Neill Cream was one of the most brutal scoundrels ever hung, and to the student of criminology affords a most interesting "subject." From youth upward he was a murderer, unscrupulous and unmerciful. His character was complex; sometimes he murdered for money, sometimes apparently for sheer love of slaughter, lust of cruelty. Born in Glasgow in 1850, he was taken as a boy to Canada, where he was well educated. He studied medicine, and qualified as a physician and surgeon both there and in this country. From the start of his professional career in Canada and Chicago he adopted murder as a means of livelihood and seemingly of pleasure, the climax being the series of murders he committed in Lambeth in the year 1891. And in the end he very nearly escaped the just recompense of his crimes, as it was by no means easy to bring his misdeeds home to him. He was hung for murdering an unfortunate named Matilda Clover, his guilt being brought home to him by his having shown an intimate knowledge of the cause of her death before any one had suspected foul play. Also at the trial in October, 1892, Mr. Justice Hawkins admitted as evidence against the accused proof that he had made a practice of buying poison such as had been administered to Matilda Clover, and that he was almost certainly guilty of other and similar crimes.

The Trial of A. J. Monson. (1893.) Edited by

JOHN W. MORE, Advocate. Dedicated to the
LORD JUSTICE-CLERK.

The trial of Alfred John Monson on the double charge of attempting to murder and of murdering Windsor Dudley Cecil Hambrough, at Ardlamont, Argyllshire, may be placed in the

list of Scottish trials as the most important which has taken place since that of Madeleine Smith. The circumstances of the alleged crime, the place where it occurred, and the social position of the accused and his alleged victim, were of such a kind as to at once arrest attention and to make people look with interested eyes to the High Court of Justiciary in Edinburgh, where, on 12th December, 1893, the prosecution and the defence began their efforts, extending over ten long days, to get at the heart of the mystery.

The Trial of Adolf Beck. (1904). Edited by ERIC R. WATSON, LL.B.

The abiding peculiarity of Adolf Beck's case consists in several things not commonly found in the general run of "mistaken identity defences," though, as will be seen, it has parallels. First there is a very confident identification of Beck by a very intelligent woman in the street as the man who had defrauded her three weeks before. Then we have him recognised by an honest retired police officer as the actual criminal. We find this criminal by mere chance using the same haunts as Beck and wearing very similar clothes. We find a thing that, in the experience of a learned judge, almost never happens, a man challenging, and with justice, his identity as a person previously convicted of the same class of crime. Finally we find Providence, if it be not presumptuous to try to trace the finger of God in the detection of human guilt, bringing the truth at last to light by suffering the actual offender to persist in his wicked courses, when the innocent, but by no means estimable, wrongly convicted Beck was again under lock and key.

The Trial of Oscar Slater. (1909.) Edited by WILLIAM ROUGHEAD. Dedicated to the Hon. LORD GUTHRIE.

The case of Oscar Slater, who was tried in May, 1909, for the murder of Miss Marion Gilchrist, excited widespread interest at the time, and, by reason of the sensational rumours of which it was the occasion, exercised the popular imagination for many months. But apart from these, the case itself contains elements sufficiently strange and suggestive to supply, in an unwonted degree, a legitimate and lasting interest. The trial at Edinburgh; the obvious weakness of certain links in the formidable chain forged by the Crown; the surprising verdict; and, finally, the illogical and unsatisfactory reprieve, combined to merit for this case a conspicuous niche in the gallery of Scottish *causes célèbres*.

The Trial of Hawley Harvey Crippen. (1910.)

Edited by FILSON YOUNG. Dedicated to Sir
BASIL HORNE THOMSON, C.B.

No trial of modern times was more widely known and discussed than that of "Dr." Crippen for the murder of his wife, and few cases are richer in the human and dramatic interest which constitutes the chief appeal of a great crime. The character of the criminal and his passion for his mistress; the contrasted types of the two women, the one the victim of his hate, the other of his love; the unusual method of the murder; the sensational flight of Crippen and Le Neve and their subsequent arrest at sea; and the later disclosures of the trial at the Old Bailey; combine to give to this case its unique attraction and a place by itself in the catalogue of crime.

The Trial of John Alexander Dickman.

(1910.) Edited by S. O. ROWAN-HAMILTON,
Barrister-at-Law. Dedicated to LORD COLERIDGE.

The crime with which John Alexander Dickman was charged at Newcastle Assizes in July, 1910, was the sixth murder committed in a railway carriage since the introduction of railways into England. He was convicted, upon purely circumstantial evidence, of the murder, in a train near Morpeth, of John Innes Nisbet who was carrying a bag containing £370 to pay wages at a colliery. The identification of the prisoner was far from conclusive, and the unsatisfactory account of his conduct and movements which he gave in the box was mainly accountable for the verdict. The case is a remarkable example of the operation of the Criminal Evidence Act of 1898. The full text of the trial is printed, including the cross-examination of the prisoner which virtually sealed his fate, and the introduction contains a complete history of the case and of the many interesting and important points to which it gave rise.

The Trial of Steinie Morrison. (1911.)

Edited by the Hon. H. FLETCHER MOULTON,
B.A.(Cantab.), Barrister-at-Law. Dedicated to
the Hon. Mr. JUSTICE DARLING.

Steinie Morrison was convicted of murdering Leon Beron, a Russian Jew, who was found dead on Clapham Common on New Year's Day, 1911. His face had been mutilated by a knife and two large S's—"the mark of vengeance"—had been cut on

the cheeks. The sentence of death was commuted to one of penal servitude, and Morrison, still protesting his innocence, died from semi-starvation in Parkhurst Prison Infirmary some years later. What makes this trial of continued interest is the picture it gives of a life in London almost unaffected by ordinary conditions, a life in which men who do no work stay all day in restaurants; where a man with an income of fifteen shillings a week is described as a retired gentleman living on his means, and where a man is one day a waiter and the next day a customer in the same eating-house.

The Trial of the Seddons. (1912.) Edited by
FILSON YOUNG. Dedicated to Sir EDWARD
MARSHALL HALL, K.C.

The trial of Mr. and Mrs. Seddon in 1912 for the murder of Miss Barrow, their wealthy lodger, forms an important commentary on the value and effect of purely circumstantial evidence. The wife was acquitted; the husband was found guilty, and was duly executed. The victim died from the effects of arsenic, but possession of that poison was not brought home to the prisoners, nor was there any evidence of administration. Seddon was probably convicted as the result of his appearance in the witness box, and the case is an instructive illustration of the working of the Criminal Evidence Act. The full text of the trial is given, including the speeches of the Attorney-General (Sir Rufus Isaacs) for the Prosecution and of Mr. Marshall Hall for the Defence, and in the introduction the main features of the case are focussed in a way which shows that criminology, handled by a man of letters, can be made interesting to a far larger public than the legal fraternity affords.

The Trial of George Joseph Smith. (1915.)
Edited by ERIC R. WATSON, LL.B., Barrister-at-Law. Dedicated to ARTHUR NEIL.

George Joseph Smith, executed for the first of a series of murders, which are mostly remembered by the public as the "Brides in the Bath Murders," was one of the most remarkable criminals of all time. An old reformatory boy, dismissed in pre-war days with ignominy from Her Majesty's service, so ignorant that in the summer of 1915 he spelt "German" with an initial "J," he yet contrived to win golden opinions from most women and many men, the chaplain who finally attended him and the bishop who confirmed him in Maidstone gaol being

amongst those who could scarcely believe in his guilt. The method of the murderer was entirely novel, and demonstrated the possibility, nay ease, of drowning an adult woman without bruising her.

The Trial of Sir Roger Casement. (1916.)

Edited by GEORGE H. KNOTT, Barrister-at-Law. Dedicated to the LORD CHIEF JUSTICE and the Hon. Mr. JUSTICE DARLING.

Though the trial of Casement for High Treason in the High Court of Justice in 1916 was but one of the minor sensations of the Great War, yet its intrinsic interest and historical importance well warrant this authentic report of the proceedings. Casement, having held divers high appointments under the British Crown, having been knighted for his services and having retired on a pension, upon the outbreak of hostilities proceeded to Germany where he was actively employed in inciting the Irish prisoners of war to join the German arms against England. The frustration of his attempt to run men, arms, and ammunition with a view to raising a rebellion in Ireland reads more like some tale of strange adventure than sober history. A full report of the trial is here given, as well as of the no less important proceedings in the Court of Criminal Appeal, together with many documents and photographs illustrative of the case.

The Trial of Ronald True. (1922.) Edited by DONALD CARSWELL. Dedicated to the Right Hon. LORD JUSTICE ATKIN.

The criminal responsibility of the insane has for many years been a source of acute controversy between lawyers and medical men. Should insanity be an absolute defence to a criminal charge? If not, is the law in a position, having regard to the general principles of natural justice, to formulate the conditions the defence may be a good one? On these questions law and medicine join issue. Neither at present can give a wholly satisfactory answer. The case of Ronald True has been included in the Notable British Trials Series on account of the precision with which it exposes this medico-legal dilemma. Unfortunately the inherent difficulty of the subject has been aggravated by the misconceptions and prejudices with which it is surrounded. The editorial introduction has therefore been written with the object of clearing these away and setting the problem in a proper

perspective. In his *résumé* of the facts Mr. Carswell gives a fascinating study in morbid psychology, and his historical and critical exposition of the English law of criminal responsibility makes *The Trial of Ronald True* a valuable addition to the library of the criminal lawyer and the alienist.

The Trial of Frederick Bywaters and Edith Thompson. (1922.) Edited by FILSON YOUNG. Dedicated to HERBERT AUSTIN.

The trial of Frederick Bywaters and Edith Thompson on a joint charge of murder took place at the Old Bailey on 6th December, 1922, and the following days. They were jointly charged with the murder of Percy Thompson; a second indictment of conspiracy not being proceeded with. It had come out in the Police Court proceedings that Mrs. Thompson had written a long series of letters to Bywaters, during his voyages in a ship on board of which he was employed as laundry-steward. In these letters, strangely mingled with passionate expressions of love and long dissertations on books which she was reading, were the most direct and definite references to alleged attempts which she represented herself as making on the life of her husband. Constant references to poison and to the use of ground glass, passionate appeals that Bywaters would "send her something" which would achieve the desired end appear in these letters, which, when read aloud in Court, produced a very great effect on the jury. Nevertheless, the case for the prosecution was a weak one, inasmuch as there was no witness of the murder, except possibly Mrs. Thompson; and if she had not gone into the witness-box it is very unlikely that the jury could have convicted Bywaters of anything more than manslaughter, or that they could have convicted her at all. But she insisted on going into the witness-box; and under cross-examination, in the attempt to explain the references to poison and so forth in the letters, she stated that she was writing to Bywaters asking him to send her something which, administered to Percy Thompson, who suffered from heart attacks, would have so impaired his strength that when he next had a heart attack he would not have recovered. This admission hanged her.

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